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SALUS POPULI SUPREMA LEX ESTO

“The welfare of the people shall be the supreme law.”



JOHN R. ASHCROFT
SECRETARY OF STATE

MISSOURI REGISTER

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| December 1, 2020 December 15, 2020 | January 4, 2021 January 15, 2021 | January 29, 2021 January 29, 2021 | February 28, 2021 February 28, 2021 |
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| June 1, 2021 June 15, 2021 | July 1, 2021 July 15, 2021 | July 31, 2021 July 31, 2021 | August 30, 2021 August 30, 2021 |
| July 1, 2021 July 15, 2021 | August 2, 2021 August 16, 2021 | August 31, 2021 August 31, 2021 | September 30, 2021 September 30, 2021 |

Documents will be accepted for filing on all regular workdays from 8:00 a.m. until 5:00 p.m. We encourage early filings to facilitate the timely publication of the *Missouri Register*. Orders of Rulemaking appearing in the *Missouri Register* will be published in the *Code of State Regulations* and become effective as listed in the chart above. Advance notice of large volume filings will facilitate their timely publication. We reserve the right to change the schedule due to special circumstances. Please check the latest publication to verify that no changes have been made in this schedule. To review the entire year's schedule, please check out the website at sos.mo.gov/adrules/pubsched.

HOW TO CITE RULES AND RSMO

RULES

The rules are codified in the *Code of State Regulations* in this system–

| Title | | Division | Chapter | Rule |
|------------|--|--------------------|---------------------------|----------------------------|
| 3 | CSR | 10- | 4 | .115 |
| Department | <i>Code of State Regulations</i> | Agency Division | General area regulated | Specific area regulated |

and should be cited in this manner: 3 CSR 10-4.115.

Each department of state government is assigned a title. Each agency or division in the department is assigned a division number. The agency then groups its rules into general subject matter areas called chapters and specific areas called rules. Within a rule, the first breakdown is called a section and is designated as (1). Subsection is (A) with further breakdown into paragraphs 1., subparagraphs A., parts (I), subparts (a), items I. and subitems a.

The rule is properly cited by using the full citation, for example, 3 CSR 10-4.115 NOT Rule 10-4.115.

Citations of RSMo are to the *Missouri Revised Statutes* as of the date indicated.

Code and Register on the Internet

The *Code of State Regulations* and *Missouri Register* are available on the Internet.

The *Code* address is sos.mo.gov/adrules/csr/csr

The *Register* address is sos.mo.gov/adrules/moreg/moreg

These websites contain rulemakings and regulations as they appear in the *Code* and *Registers*.

Rules appearing under this heading are filed under the authority granted by section 536.025, RSMo. An emergency rule may be adopted by an agency if the agency finds that an immediate danger to the public health, safety, or welfare, or a compelling governmental interest requires emergency action; follows procedures best calculated to assure fairness to all interested persons and parties under the circumstances; follows procedures which comply with the protections extended by the *Missouri* and the *United States Constitutions*; limits the scope of such rule to the circumstances creating an emergency and requiring emergency procedure, and at the time of or prior to the adoption of such rule files with the secretary of state the text of the rule together with the specific facts, reasons, and findings which support its conclusion that there is an immediate danger to the public health, safety, or welfare which can be met only through the adoption of such rule and its reasons for concluding that the procedure employed is fair to all interested persons and parties under the circumstances.

Rules filed as emergency rules may be effective not less than ten (10) business days after filing or at such later date as may be specified in the rule and may be terminated at any time by the state agency by filing an order with the secretary of state fixing the date of such termination, which order shall be published by the secretary of state in the *Missouri Register* as soon as practicable.

All emergency rules must state the period during which they are in effect, and in no case can they be in effect more than one hundred eighty (180) calendar days or thirty (30) legislative days, whichever period is longer. Emergency rules are not renewable, although an agency may at any time adopt an identical rule under the normal rulemaking procedures.

Title 13—DEPARTMENT OF SOCIAL SERVICES Division 70—MO HealthNet Division Chapter 90—Home Health Program

EMERGENCY AMENDMENT

13 CSR 70-90.010 Home Health-Care Services. The MO HealthNet Division is adding subsection (2)(C), updating sections (7) and (8), and adding section (9).

PURPOSE: *This amendment allows the adult expansion group described in Article IV Section 36(c) of the Missouri Constitution to receive habilitative services through the Missouri Home Health Program, and updates the incorporated by reference dates.*

EMERGENCY STATEMENT: *This emergency amendment allows the expanded adult population to receive habilitative services, per Article IV Section 36(c) of the Missouri Constitution. The State is legislatively mandated to implement these changes by July 1, 2021. Since Amendment 2, the approval of which created Article IV Section 36(c), was passed in August 2020, the department has been developing a package of coverage that will meet the federal requirements for this program. Article IV Section 36(c) requires the department to adhere to 42 USC 1396a(k)(1) or section 2001(a)(2) of the Patient Protection and Affordable Care Act (ACA). Under the ACA, the home health services identified by this amendment must be a part of the package of benefits that will be available to the adult expansion group. Also, extending these benefits to the adult expansion group will enable the*

department to secure a ninety percent (90%) federal medical assistance percentage, which is also required by Article IV Section 36(c). In order for the State to be in compliance with these requirements within the mandated timeframe, an emergency amendment is necessary. If an emergency is not enacted, the MO HealthNet Home Health program would not be in compliance with the Missouri Constitution. As a result, the MO HealthNet Division finds a compelling governmental interest which requires this emergency amendment. A proposed amendment, which covers the same material, is published in this issue of the Missouri Register. The scope of this emergency amendment is limited to the circumstances creating the emergency and complies with the protections extended in the Missouri and United States Constitutions. The MO HealthNet Division believes this emergency amendment is fair to all interested persons and parties under the circumstances. This emergency amendment was filed February 26, 2021, becomes effective July 1, 2021, and expires February 24, 2022.

(2) Home health services include the following services and items:

(C) Physical, occupational, or speech therapy when the following conditions are met:

1. The participant is age nineteen (19) or over and under age sixty-five (65) and enrolled under the Medicaid eligibility criteria for the adult expansion group as described in Article IV Section 36(c) of the Missouri Constitution; and

2. Physical, occupational, or speech therapy is a habilitative service that will help the individual keep, learn, or improve skills and functioning for daily living, in accordance with limitations set forth in section (9) of this rule.

[(C)](D) Intermittent home health aide; and

[(D)](E) Supplies identified as specific and necessary to the delivery of a participant's nursing care and prescribed in the plan of care. Supplies are health care related items that are consumable or disposable, or cannot withstand repeated use by more than one (1) individual, that are required to address an individual medical disability, illness, or injury. Medical supplies are classified as

1. Routine medical supplies used in small quantities for patients during the usual course of most home visits; or

2. Non routine medical supplies needed to treat a patient's specific illness or injury in accordance with the physician's plan of care and meet further conditions discussed in more detail below.

(7) To be reimbursed by MO HealthNet, all home health services and supplies must be provided in accordance with a written plan of care authorized by the participant's physician. The criteria for the development of the written plan of care and changes to the written plan of care through interim order(s) are described in the *MO HealthNet Division Home Health Provider Manual*. The *MO HealthNet Division Home Health Provider Manual* is incorporated by reference and made a part of this rule as published by the Department of Social Services, MO HealthNet Division, 615 Howerton Court, Jefferson City, MO 65109, at its website at <http://manuals.momed.com/manuals/>, [December 10, 2019] **November 24, 2020**. This rule does not incorporate any subsequent amendments or additions. Plans of care and interim order(s) are to be maintained in the client record.

(8) Skilled therapy services as described in subsection (2)(B) will be considered reasonable and necessary for treatment if the conditions of paragraphs (8)(A)1. 4. are met.

(9) The combination of physical, occupational, and speech therapy as described in subsection (2)(C) of this rule is limited to a total of twenty (20) visits inclusive of services from all MO HealthNet providers per year.

AUTHORITY: sections 208.153, 208.201, and 660.017, RSMo 2016,

*and section 208.152, RSMo Supp. [2019] 2020. This rule was previously filed as 13 CSR 40 81.056. Original rule filed April 14, 1982, effective July 11, 1982. For intervening history, please consult the **Code of State Regulations**. Emergency amendment filed Feb. 26, 2021, effective July 1, 2021, expires Feb. 24, 2022. A proposed amendment covering this same material is published in this issue of the **Missouri Register**.*

***PUBLIC COST:** This emergency amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the time the emergency is effective.*

***PRIVATE COST:** This emergency amendment will not cost private entities more than five hundred dollars (\$500) in the time the emergency is effective.*

The Secretary of State shall publish all executive orders beginning January 1, 2003, pursuant to section 536.035.2, RSMo.

EXECUTIVE ORDER

21-04

WHEREAS, Executive Order 21-03 was issued on February 11, 2021, establishing a state of emergency and ordering that operators of commercial motor carriers who are assisting in the transportation of residential heating fuels are exempt from the hours of service requirements in Title 49, Code of Federal Regulations, Parts 390 through 399, as incorporated in state law, including but not limited to sections 307.400, 390.201, and 622.550, RSMo, for the duration of the Order; and

WHEREAS, Executive Order 21-03 is set to expire on February 21, 2021; and

WHEREAS, high demand for residential heating fuel such as propane, natural gas, and heating oil has continued and is anticipated to continue past February 21, 2021, and is needed to provide immediate emergency assistance and continuing emergency relief to residents and businesses in need of such services; and

WHEREAS, the State of Missouri remains in a state of emergency within the meaning of Title 49, Code of Federal Regulations Section 390.23; and

WHEREAS, the continued temporary suspension of current regulations on maximum driving times is critical to the safety and welfare of the citizens of the State of Missouri, in order to ensure that operators of commercial motor carriers who are assisting in the aforementioned emergency efforts within the State of Missouri can meet this emergency need for transportation of residential heating fuel; and

WHEREAS, Executive Order 20-17 was issued on September 24, 2020, establishing that conditions were necessary to declare the existence of an emergency pursuant to Chapter 44, RSMo, due to potential civil unrest in the cities of Kansas City, St. Louis, and other affected communities; and

WHEREAS, Executive Order 20-17 activated the Missouri National Guard to assist public safety officials, local jurisdictions, and other established agencies in providing for the safety and welfare of Missouri's residents, visitors, and to protect property; and

WHEREAS, the soldiers of the Missouri National Guard were released on November 9, 2020, after the need to assist public safety officials, local jurisdictions, and other established agencies for civil unrest had ended; and

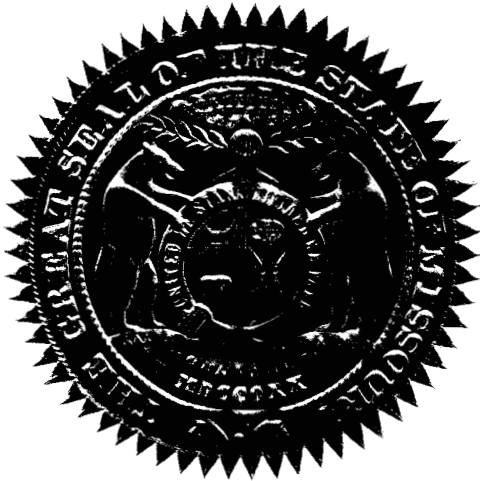
WHEREAS, conditions do not currently exist warranting an emergency declaration due to civil unrest pursuant to Chapter 44, RSMo:

NOW THEREFORE, I, MIKE PARSON, GOVERNOR OF THE STATE OF MISSOURI, by virtue of the authority vested in me by the Constitution and laws of the State of Missouri, hereby extend Executive Order 21-03, terminate Executive Order 20-17, and deactivate the Missouri National Guard to the extent activated under Executive Order 20-17. All other Executive Orders regarding the activation of the Missouri National Guard, including Executive Order 20-06, as extended by Executive Orders 20-10, 20-12, and 20-16, shall remain in effect.

The provisions of this Executive Order relating to the extension of Executive Order 21-03 shall continue in effect until February 28, 2021, unless extended in whole or in part.

IN WITNESS WHEREOF, I have hereunto set my hand and caused to be affixed the Great Seal of the State of Missouri, in the City of Jefferson, on this 19th day of February, 2021.

IN WITNESS WHEREOF, I have hereunto set my hand and caused to be affixed the Great Seal of the State of Missouri, in the City of Jefferson, on this 19th day of February, 2021.



A handwritten signature in black ink, reading "Michael L. Parson", written over a horizontal line.

MICHAEL L. PARSON
GOVERNOR

ATTEST:

A handwritten signature in black ink, reading "John R. Ashcroft", written over a horizontal line.

JOHN R. ASHCROFT
SECRETARY OF STATE

EXECUTIVE ORDER
21-05

WHEREAS, Section 105.454(5), RSMo, requires the Governor to designate those members of his staff who have supervisory authority over each department, division, or agency of state government for purposes of the application of such subdivision.

NOW THEREFORE, I, MICHAEL L. PARSON, GOVERNOR OF THE STATE OF MISSOURI, by virtue of the authority vested in me by the Constitution and laws of the State of Missouri, do hereby designate the following members of my staff as having supervisory authority over the following departments, divisions, or agencies of state government for the purposes of Section 105.454(5), RSMo:

| | |
|--|----------------|
| Office of Administration | Andrew Bailey |
| Department of Agriculture | Kayla Hahn |
| Department of Conservation | Kayla Hahn |
| Department of Corrections | Jeff Earl |
| Department of Economic Development | Aaron Willard |
| Department of Elementary and Secondary Education | Robert Knodell |
| Department of Health and Senior Services | Jeff Earl |
| Department of Higher Education | Robert Knodell |
| and Workforce Development | |
| Department of Commerce and Insurance | Jeff Earl |
| Department of Labor and Industrial Relations | Jeff Earl |
| Department of Mental Health | Jeff Earl |
| Department of Natural Resources | Andrew Bailey |
| Department of Public Safety | Andrew Bailey |
| Department of Revenue | Jeff Earl |
| Department of Social Services | Robert Knodell |
| Department of Transportation | Aaron Willard |
| Missouri Housing Development Commission | Kayla Hahn |
| Boards Assigned to the Governor | Robert Knodell |
| Unassigned Boards and Commissions | Kyle Aubuchon |

IN WITNESS WHEREOF, I have hereunto set my hand and caused to be affixed the Great Seal of the State of Missouri, in the City of Jefferson, on this 24th day of February, 2021.



A handwritten signature in black ink, appearing to read "Michael L. Parson", written over a horizontal line.

MICHAEL L. PARSON
GOVERNOR

ATTEST:

A handwritten signature in black ink, appearing to read "John R. Ashcroft", written over a horizontal line.

JOHN R. ASHCROFT
SECRETARY OF STATE

Under this heading will appear the text of proposed rules and changes. The notice of proposed rulemaking is required to contain an explanation of any new rule or any change in an existing rule and the reasons therefor. This is set out in the Purpose section with each rule. Also required is a citation to the legal authority to make rules. This appears following the text of the rule, after the word "Authority."

Entirely new rules are printed without any special symbolology under the heading of proposed rule. If an existing rule is to be amended or rescinded, it will have a heading of proposed amendment or proposed rescission. Rules which are proposed to be amended will have new matter printed in boldface type and matter to be deleted placed in brackets.

An important function of the *Missouri Register* is to solicit and encourage public participation in the rulemaking process. The law provides that for every proposed rule, amendment, or rescission there must be a notice that anyone may comment on the proposed action. This comment may take different forms.

If an agency is required by statute to hold a public hearing before making any new rules, then a Notice of Public Hearing will appear following the text of the rule. Hearing dates must be at least thirty (30) days after publication of the notice in the *Missouri Register*. If no hearing is planned or required, the agency must give a Notice to Submit Comments. This allows anyone to file statements in support of or in opposition to the proposed action with the agency within a specified time, no less than thirty (30) days after publication of the notice in the *Missouri Register*.

An agency may hold a public hearing on a rule even though not required by law to hold one. If an agency allows comments to be received following the hearing date, the close of comments date will be used as the beginning day in the ninety- (90-) day-count necessary for the filing of the order of rulemaking.

If an agency decides to hold a public hearing after planning not to, it must withdraw the earlier notice and file a new notice of proposed rulemaking and schedule a hearing for a date not less than thirty (30) days from the date of publication of the new notice.

Proposed Amendment Text Reminder:

Boldface text indicates new matter.

[Bracketed text indicates matter being deleted.]

Title 8—DEPARTMENT OF LABOR AND INDUSTRIAL RELATIONS Division 20—Labor and Industrial Relations Commission Chapter 7—Crime Victim Appeals

PROPOSED RESCISSION

8 CSR 20-7.010 Review of Decisions Issued by the Division of Workers' Compensation in Crime Victims' Compensation Cases. This rule outlined procedures for appeals from a decision made by the Division of Workers' Compensation in crime victims' compensation cases.

PURPOSE: This rule is being rescinded as the Crime Victim Compensation Program is no longer located within the Division of Workers' Compensation, and appeals are no longer taken to the Labor and Industrial Relations Commission. New rules for pursuing crime victim compensation appeals are being proposed to be located

at 11 CSR 30 18.020.

AUTHORITY: section 286.050, RSMo 1986. Original rule filed Aug. 9, 1993, effective Jan. 13, 1994. Rescinded: Filed Feb. 26, 2021.

PUBLIC COST: This proposed rescission will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed rescission will not cost private entities more than five hundred dollars (\$500) in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed rescission with the Department of Public Safety, Office of the Director, Crime Victims' Compensation Program, Attn: Judy Murray, Administrative Rules Coordinator, PO Box 749, Jefferson City, MO 65102. To be considered, comments must be received within thirty (30) days after publication of this notice in the Missouri Register. No public hearing is scheduled.

Title 8—DEPARTMENT OF LABOR AND INDUSTRIAL RELATIONS Division 50—Division of Workers' Compensation Chapter 6—Crime Victims

PROPOSED RESCISSION

8 CSR 50-6.010 Rules Governing Crime Victims. This rule set forth requirements for filing and pursuing claims under Chapter 595 of the Revised Statutes of Missouri.

PURPOSE: This rule is being rescinded as the Crime Victims Compensation Program is no longer located within the Division of Workers' Compensation. New procedures for pursuing crime victim compensation claims are being proposed to be located at 11 CSR 30 18.010.

AUTHORITY: sections 287.650 and 595.060, RSMo Supp. 1998. Original rule filed Dec. 14, 1982, effective March 11, 1983. Amended: Filed Dec. 28, 1990, effective June 10, 1991. Amended: Filed March 18, 1999, effective Oct. 30, 1999. Rescinded: Filed Feb. 26, 2021.

PUBLIC COST: This proposed rescission will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed rescission will not cost private entities more than five hundred dollars (\$500) in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed rescission with the Department of Public Safety, Office of the Director, Crime Victims' Compensation Program, Attn: Judy Murray, Administrative Rules Coordinator, PO Box 749, Jefferson City, MO 65102. To be considered, comments must be received within thirty (30) days after publication of this notice in the Missouri Register. No public hearing is scheduled.

Title 11—DEPARTMENT OF PUBLIC SAFETY Division 30—Office of the Director Chapter 18—Crime Victims' Compensation

PROPOSED RULE

11 CSR 30-18.010 Rules Governing Crime Victims' Compensation

PURPOSE: This rule sets forth requirements for filing and pursuing claims under Chapter 595, RSMo.

(1) Definitions.

(A) All terms in this rule shall have the same meaning as in Chapter 595, RSMo.

(B) A “compensable crime” is the crime that is the subject of a claim for compensation.

(2) Filing of Documents.

(A) Unless otherwise specified in this rule, any document filed with the Crime Victims’ Compensation Program of the Department of Public Safety, Office of the Director (program) is considered filed on the date the document is received by the program.

(B) Documents received by mail are considered filed on the post mark date.

(C) Any document requiring a signature may be signed electronically.

(3) Review of Claims. It is the responsibility of the claimant to prove to the satisfaction of the program that it is more likely than not that the physical, emotional, or mental harm or trauma giving rise to the application, and the expense for which compensation is sought, is caused by a compensable crime under section 595.010.1(5), RSMo, that is the subject of the application.

(4) Supporting Documents.

(A) No compensation may be paid without proper documentation.

(B) Claimants are to produce any document or information requested by the program as necessary to support the claim.

(C) Following the initial filing of a claim, if a claimant fails to provide requested information, the claim may be denied.

(D) In cases involving the death of the victim, the claimant shall submit a death certificate.

(E) Claimants shall promptly provide, in writing, their current contact information, including mailing address, phone number and/or email address to the program. The claimant is responsible for informing the program of any change in contact information. Failure to do so may result in denial of the claim.

(5) Cooperation. All claimants are to cooperate with the program and its representatives. Lack of cooperation is grounds for claim denial.

(6) Reduction.

(A) Contributory conduct.

1. If, through consent, provocation, incitement, or negligence, the victim contributed to the infliction of the victim’s injury or death, the claim shall be denied.

2. In order to ensure consistency in awards, no partial reduction in the amount of compensation may be made due to contributory conduct by the victim.

3. Factors to be considered when determining whether a victim contributed to the conduct include, but are not limited to:

A. Whether the victim’s actions directly and substantially caused the offender’s actions;

B. Whether the victim’s misconduct was part of a continuous flow of events leading to the crime;

C. Whether it was reasonably foreseeable that the victim’s actions would cause the offender to inflict an injury on the victim; and

D. Whether the victim indicated a willful desire to participate in the commission of a potential crime, rather than putting himself/herself in a vulnerable position.

4. Determinations regarding contributory conduct shall be made on basis of facts and substantial evidence.

(B) Fundraising and crowdsourcing.

1. Payments made to claimants shall be reduced by any amount received as a result of fundraising on behalf of the victim. Such

sources include, but are not limited to, memorial funds, in person fundraisers, and fundraising from websites such as GoFundMe.

2. In order to determine whether fundraising has been used to pay for otherwise compensable expenses, and thus constitutes a collateral source, the program may request any documentation necessary to determine the extent to which a claimant has received funding from such efforts. If the program cannot establish that the fundraising has paid for otherwise compensable expenses, then no reduction in payments may occur.

(C) Unrelated services. If expenses for services unrelated to a compensable crime are submitted by a claimant, those expenses shall not be reimbursed.

(7) Maximum Award Amounts. Maximum award amounts are set in Chapter 595, RSMo. The following are the current maximum award amounts:

(A) Reasonable and necessary expenses actually incurred for preparation and burial in the event of death, including funeral expenses: five thousand dollars (\$5,000);

(B) Actual loss of earnings or support from gainful employment: four hundred dollars (\$400) per week;

(C) Attorney fees related to filing of Crime Victims’ Compensation (CVC) application: Up to fifteen percent (15%) of total award; and

(D) Total for any claim, including funeral expenses, lost earnings, out of pocket losses, attorney fees, and all other categories of expenses: twenty five thousand dollars (\$25,000).

(8) Determination of Lost Earnings or Support.

(A) In determining whether to award lost earnings or support to a victim or a dependent of a victim, the program shall consider whether the victim was gainfully employed at the time of the crime.

(B) In order to make this determination, the program may request and consider the following documentation:

1. Documentation of wages, including pay stubs;

2. Federal or state income tax returns, including any forms showing estimated taxes;

3. A document releasing the victim to return to work, signed by a medical provider or a psychiatric treatment or counseling service provider, who treated or examined the victim for injuries caused by a compensable crime; or

4. Any other document that would demonstrate gainful employment.

(C) Lost earnings or support may include compensation in instances where a victim is unable to maintain employment as a result of the crime.

(D) Lost earnings or support may include earnings lost by a claimant as a result of participating in the criminal justice process, such as earnings lost due to meeting with officers or attending or participating in court proceedings.

(9) Determination of Out of Pocket Loss.

(A) An “out of pocket loss” is an unreimbursed or otherwise unreimbursable expense or indebtedness reasonably incurred. Out of pocket loss does not include loss of earnings or support.

(B) The following items are eligible for reimbursement as out of pocket loss if incurred as a result of a compensable crime:

1. Temporary lodging.

A. Temporary lodging may be reimbursed when a reasonable claimant would feel fear or apprehension if the claimant were to return to the claimant’s place of residence, and such fear or apprehension is related to a compensable crime.

B. Reimbursement may only be made for actual expenses of up to fourteen (14) days of temporary lodging, incurred at locations open to the general public that generally charge for accommodation. Examples of such locations are hotels; motels; bunkhouses; dormitories; campgrounds; and short term rentals in private residences offered through electronic platforms such as Airbnb, HomeAway, or

VRBO.

C. No reimbursement may be made for lodging expenses exceeding the rate adopted by the State of Missouri, Office of Administration for state employee travel expenses or the General Services Association's Continental United States (CONUS) per diem rates, whichever is lower;

2. Replacement costs for clothing and bedding held as evidence;

3. Replacement or repair of locks at the victim's residence or other involved residence; and

4. Dependent care to allow victims to participate in criminal justice activities or secure medical treatment and rehabilitation services, when such care would not have been incurred but for the compensable crime. The care shall be provided by providers licensed by or registered with the Missouri Department of Health and Senior Services, the Missouri Department of Social Services, or a provider licensed by a similar entity to provide such care in the state in which the service is provided.

(C) The program shall develop a schedule of the amounts that are eligible for reimbursement pursuant to this section. This schedule shall be reviewed and updated at least once per state fiscal year.

(D) The following expenses shall not be allowed as out of pocket losses:

1. Pain and suffering;

2. Any expense not reasonably resulting from a compensable crime;

3. Any expense eligible for payment from another payer, such as insurance or other benefit programs, or fundraising or crowd sourcing; and

4. Any expense not listed in subsection (A) of this section.

(E) This section shall apply to any claim regarding a crime committed on or after the effective date of these rules. Claims arising from crimes committed prior to the effective date of this section are ineligible for reimbursement of losses under this section.

(10) Offer of Compensation and Award.

(A) Offer of compensation.

1. An "offer of compensation" or "offer" is notification of a determination as to the claimant's eligibility for compensation and the anticipated amount of such compensation, if any.

2. Once the program issues an offer, the offer is final.

3. The program may rescind an offer at any time for ineligibility.

4. Acceptance of an offer does not establish a contract between the claimant and the program.

5. The program shall adopt procedures to provide claimants adequate notification of offers and document such notification. Such procedures shall be made publicly available upon request.

(B) Disbursement of award.

1. When disbursing an award, proceeds are applied in the following order:

A. Compensation paid to claimants, in the following order:

(I) Loss of income or support; and

(II) Other expenses paid by the claimant; and

B. Outstanding crime related expenses to be paid directly to providers.

(I) The program may prorate the remaining amount of the award among providers after other compensation awarded has been deducted.

(II) If no response is received by the program within thirty (30) days of issuing an offer of compensation, the program may pay expenses compensable under this paragraph. Such expenses shall be debited against the maximum award amount. Once the maximum award amount is reached, no further payment will be made.

2. The program is not bound by any agreements between providers and claimants regarding priority of expenses.

(C) If the victim is legally incompetent, the program may require that a conservatorship be established and the award be delivered to the conservator.

(11) Attorneys.

(A) Claimants may be represented before the program by a licensed attorney. The attorney is to file a notice of appearance.

(B) Completion of the attorney information section on the Application for Crime Victims' Compensation form is considered the same as filing a notice of appearance.

(C) If an award of attorney fees is made pursuant to section 595.025.4, RSMo, such fees are considered awarded concurrently with other compensation awarded in the order of priority set in section (9) of this rule. For administrative convenience, the program may choose to pay such compensation in a lump sum at any time prior to closing a claim.

(12) Death of Victim During Claims Process. If a person eligible for compensation pursuant to section 595.020.1(1) or (2), RSMo, files a claim for compensation and subsequently dies from causes unrelated to the crime, the program shall terminate proceedings on the claim, and no further compensation shall be paid.

(13) Expenses for Victims of Domestic Violence. The program shall consider compensation for victims of domestic violence, as such term is defined in section 455.010, RSMo, with a concern for their safety. No reduction in compensation may occur due to a potential collateral source of payment for expenses when

(A) A claimant has insurance or other similar benefits provided as a result of the claimant's relationship with the offender (a "shared benefits plan"); and

(B) The claimant fears harm if the claimant requests payment of expenses through the shared benefits plan.

(14) Reporting of Crimes. The following terms contained in section 595.030, RSMo, are defined as follows:

(A) "Proper authorities" for reporting purposes are the following:

1. For crimes involving domestic violence, rape, sexual assault, human trafficking, or stalking: Law enforcement agencies, prosecuting attorneys, or the Address Confidentiality Program of the Missouri Secretary of State established pursuant to section 589.663, RSMo; and

2. For all other crimes: Law enforcement agencies or prosecuting attorneys; and

(B) "Official records" are court or law enforcement agency records.

(15) Statutory References. All statutory references in this section are to the Missouri Revised Statutes in effect on the effective date of this regulation. Any reference to a particular statute, regulation, or document shall be deemed to include its successor.

AUTHORITY: section 595.060, RSMo 2016. Original rule filed Feb. 26, 2021.

PUBLIC COST: This proposed rule will cost state agencies or political subdivisions one hundred forty five thousand nine hundred thirty dollars and seventy cents (\$145,930.70) in the aggregate.

PRIVATE COST: This proposed rule will not cost private entities more than five hundred dollars (\$500) in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed rule with the Department of Public Safety, Office of the Director, Crime Victims' Compensation Program, Attn: Judy Murray, Administrative Rules Coordinator, PO Box 749, Jefferson City, MO 65102. To be considered, comments must be received within thirty (30) days after publication of this notice in the Missouri Register. No public hearing is scheduled.

**FISCAL NOTE
PUBLIC COST**

- I. Department Title:** Department of Public Safety
Division Title: Office of the Director
Chapter Title: Crime Victims' Compensation

| | |
|------------------------------|---|
| Rule Number and Name: | 11 CSR 30-18.010 Rules Governing Crime Victims' Compensation |
| Type of Rulemaking: | Proposed Rule |

II. SUMMARY OF FISCAL IMPACT

| Affected Agency or Political Subdivision | Estimated Cost of Compliance in the Aggregate |
|--|---|
| Department of Public Safety | \$145,930.70 |

III. WORKSHEET

See below.

| | | |
|---|--------------|----------------------------------|
| | \$82,230.00 | Lodging expenses |
| + | \$34,692.00 | Replacement clothing and bedding |
| + | \$20,300.00 | Replacement or repair of locks |
| + | \$8,708.70 | Dependent care expenses |
| = | \$145,930.70 | |

IV. ASSUMPTIONS

a. Lodging expenses, pursuant to proposed 11 CSR 30-18.010(9)(B)(1).

The Department of Public Safety, Crime Victims' Compensation Program ("CVC") reviewed awards made in state fiscal year 2019 ("SFY19"), the most recent year for which complete records are available. CVC determined that there were approximately 980 awards that may have been eligible for lodging costs to be reimbursed pursuant to the proposed rule. Of these 980 awards, CVC anticipates that approximately 10 percent of these awards would utilize the lodging program, for an average of seven nights per claim.

The proposed regulation limits reimbursement for lodging expenses to the rate adopted by the State of Missouri, Office of Administration ("OA") for state employee travel expenses or the federal General Services Administration ("GSA") CONUS rates, whichever is lower. OA currently uses the GSA CONUS rates as a guideline for travel costs. CVC located these rates on the GSA's website, and averaged the amount for locations in Missouri to determine an anticipated per-night cost.

980 potentially eligible awards x 10 percent usage x \$120 per night x 7 nights = \$82,230

b. Replacement costs for clothing and bedding held as evidence, pursuant to proposed 11 CSR 30-18.010(9)(B)(2).

CVC reviewed awards made in SFY2019 and determined there were 980 awards that may have been eligible for reimbursement of replacement costs for clothing and bedding held as evidence. CVC estimates that 10 percent of these claims will seek reimbursement for the costs of clothing and bedding held as evidence.

Estimating clothing replacement costs is subjective. Because the proposed rule directs CVC to develop a schedule for reimbursement of out-of-pocket expenses, CVC will limit replacement clothing costs not to exceed \$300 per claim.

CVC searched for basic replacement bed sets for a full/queen bed on the website of several major retailers, including Walmart, Target, Dollar General, and Amazon. It determined that the average cost for a bedding set was \$54.

980 awards x 10 percent estimated usage x \$54 per replacement bed set = \$5,292
980 awards x 10 percent estimated usage x \$300 per clothing maximum = \$29,400
Total: \$34,692

c. Replacement or repair of locks at the victim's residence or other involved residence, pursuant to proposed 11 CSR 30-18.010(9)(B)(3).

CVC reviewed awards made in SFY19, and determined that there were 1,015 awards that may have been eligible for replacement or repair of locks. CVC anticipates that 10 percent of these claims will seek reimbursement for the cost of replacement or repair of locks at the victim's residence or other involved residence.

Based on a search of retailer websites, including Home Depot, Lowes, Ace Hardware, and Amazon, the average cost for a basic chain or slide lock is approximately \$6, while a basic door knob and deadbolt set is approximately \$30. According to HomeAdvisor, the average cost for a locksmith call in Missouri is \$128. Although this total is \$164, because of the significant potential variation in both the cost of replacement hardware and installation, CVC has estimated the average charge for replacement and repair of locks as \$200 per claim.

1,015 awards x 10 percent estimated usage x \$200 per claim = \$20,300

d. Dependent care to allow victims to participate in criminal justice activities or secure medical treatment and rehabilitation services, when such care would not have been incurred but for the compensable crime, pursuant to proposed 11 CSR 30-18.010(9)(B)(4).

CVC reviewed awards made in SFY19, and determined that there were 1,015 awards that may have been eligible for payment of dependent care. According to a United States Census Bureau estimate, the average number of people under 18 in a family household is 0.87. Because claimants will not be filing on a partial child, and to account for dependents who may not be under the age of 18, CVC rounded this up to one dependent per household.

CVC anticipates that 10 percent of eligible claims will request reimbursement for five days of dependent care.

CVC utilized an average daily dependent care rate of \$17.16. CVC determined this amount by reviewing child care rate data from the Department of Social Services. CVC averaged the full day daytime child care rates for children in Boone, Dunklin, Greene, and Jackson counties, and the City of St. Louis, for infant, preschool, and school-age care, at both licensed and regulated faith-based facilities, and registered providers.

$1,015 \text{ claims} \times 10 \text{ percent estimated usage} \times 1 \text{ dependent per household} \times 5 \text{ days} \times \$17.16 \text{ per day} = \$8,708.70$

Title 11—DEPARTMENT OF PUBLIC SAFETY
Division 30—Office of the Director
Chapter 18—Crime Victims' Compensation

PROPOSED RULE

11 CSR 30-18.020 Rules Governing Crime Victims' Compensation Appeals

PURPOSE: This rule sets forth requirements for pursuing appeals of determinations of crime victim compensation under Chapter 595, RSMo.

(1) Procedure for Initiating Appeal.

(A) If the claimant disagrees with the decision of the Crime Victims' Compensation Program (program), the claimant may appeal for an administrative review before the Director of the Department of Public Safety (director) by submitting a request in writing to the Program.

(B) The deadline to request an administrative review is thirty (30) days after the date of the letter containing the decision of the program. Any request for administrative review submitted after this date shall be denied as untimely. Administrative reviews denied for this reason may be reinstated for good cause shown by the claimant.

(C) A request for administrative review shall identify the specific reasons why the director should reverse the decision of the program. Requests that do not comply with this requirement shall be denied.

(2) Review by Director.

(A) The director shall review each request for administrative review and determine whether the decision should be affirmed or reversed on the basis of the evidence previously submitted in the case or may take additional evidence in reviewing the decision.

(B) If the director takes additional evidence in reviewing the decision, the director may specifically request such evidence be provided and resolve the administrative review on the basis of that evidence, or the director may set the case for a hearing where additional evidence may be submitted.

(C) The decision of the director is the final decision of the department for purposes of appeal under section 595.036.2, RSMo.

(3) Procedure for Hearings.

(A) Administrative reviews before the director are simple, informal, and summary.

(B) The program may receive as evidence any statements, documents, information, or material that it finds is relevant and of a nature to afford the claimant a fair hearing. The program may also accept law enforcement reports, hospital records and reports, physicians' reports, and other documentation as proof of the crime and injuries sustained, without requiring the presence of the investigating officer or attending physician at the administrative review.

(C) If the claimant fails to appear at the scheduled review before the director, the administrative review shall be dismissed. Administrative reviews dismissed for this reason may be reinstated for good cause shown by the claimant.

(D) Notice of the administrative review sent to a claimant's attorney at the attorney's last known address is deemed notice to the party.

(E) Administrative reviews may be heard in person, by phone, video conference, or any other manner approved by the director.

(4) Director's Designee: Pursuant to section 595.010, RSMo, the director may designate a person to carry out any of the director's duties in this rule.

AUTHORITY: section 595.060, RSMo 2016. Original rule filed Feb. 26, 2021.

PUBLIC COST: This proposed rule will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed rule will not cost private entities more than five hundred dollars (\$500) in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed rule with the Department of Public Safety, Office of the Director, Crime Victims' Compensation Program, Attn: Judy Murray, Administrative Rules Coordinator, PO Box 749, Jefferson City, MO 65102. To be considered, comments must be received within thirty (30) days after publication of this notice in the *Missouri Register*. No public hearing is scheduled.

Title 13—DEPARTMENT OF SOCIAL SERVICES
Division 70—MO HealthNet Division
Chapter 10—Nursing Home Program

PROPOSED AMENDMENT

13 CSR 70-10.015 Prospective Reimbursement Plan for Nursing Facility Services. The division is amending the purpose and sections (3) (10), (14), and (17) and adding section (22).

PURPOSE: This amendment removes or replaces obsolete processes, language, and terms; clarifies regulation language; revises the definition of audits; allows an extension for cost report filings for good cause shown; amends when cost reports are required for terminating providers or changes in providers; amends when payments will be withheld for late cost report submissions and terminating providers; establishes a required prior authorization process for any out of state nursing facility to be reimbursed for nursing facility services; and revises the methodology for determining prospective rates.

PURPOSE: This rule establishes a [payment] reimbursement plan for [long-term care] nursing facility services required by the Code of Federal Regulations. The plan describes principles to be followed by Title XIX [long-term care] nursing facility providers in making financial reports and presents the necessary procedures for setting rates, making adjustments, and auditing the cost reports.

PUBLISHER'S NOTE: The secretary of state has determined that the publication of the entire text of the material which is incorporated by reference as a portion of this rule would be unduly cumbersome or expensive. This material as incorporated by reference in this rule shall be maintained by the agency at its headquarters and shall be made available to the public for inspection and copying at no more than the actual cost of reproduction. This note applies only to the reference material. The entire text of the rule is printed here.

(3) General Principles.

(A) Provisions of this reimbursement regulation shall apply only to facilities certified for participation in the [Missouri Medical Assistance/ MO HealthNet (Medicaid) Program].

(D) The Medicaid Program shall provide reimbursement for nursing facility services based solely on the individual Medicaid eligible [recipient's] participant's covered days of care, within benefit limitations as determined in subsections (5)(D) and (M) multiplied by the facility's Medicaid reimbursement rate. No payments may be collected or retained in addition to the Medicaid reimbursement rate for covered services, unless otherwise provided for in this [plan] regulation. Where third party payment is involved, Medicaid will be the [payer] payer of last resort with the exception of state programs such as vocational rehabilitation and the Missouri Crippled Children's Services.

(F) Medicaid reimbursements shall not be paid for services provided to Medicaid eligible *[recipients]* **participants** during any time period in which the facility failed to have a Medicaid participation agreement in effect. A reimbursement rate may not be established for a facility if a Medicaid participation agreement is not in effect.

(J) Changes in ownership, management, control, operation, leasehold interest by whatever form for any facility previously certified for participation in the Medicaid Program at any time that results in increased capital costs for the successor owner, management, or leaseholder shall not be recognized for purposes of reimbursement *[and etc.]*.

(L) Any facility which is involuntarily terminated from participation in the Medicare Program shall also be terminated from participation in the *[Medicaid]* **MO HealthNet** Program on the same date as the Medicare termination.

(M) No restrictions nor limitations shall, unless precluded by federal or state regulation, be placed on a *[recipient's]* **participant's** right to select providers of his/her own choice.

(O) The reimbursement rates authorized by this regulation may be reevaluated *[at least on an annual basis]* in light of the provider's cost experience to determine any adjustments needed *[to assure coverage of cost increases that must be incurred by efficiently and economically operated providers]*.

(Q) Medicaid reimbursement will not be paid for a Medicaid eligible resident while placed in a non-certified bed in a nursing facility.

[(S)] Each state fiscal year the department shall submit to the Office of Administration for consideration a budget item based on the HCFA Market Basket Index for Nursing Homes representing a statistical measure of the change in costs of goods and services purchased by nursing facilities during the course of one (1) year. The submission of the budget item by the department has no correlation to determining the costs that are incurred by an efficiently and economically operated facility. Any trend factor granted shall be applied to the patient care, ancillary and administration cost components, and the pass-through expenses included in the capital cost component per diem. For facilities with allowable costs from their 1992 desk audited and/or field audited cost report as determined in this regulation that are below the facilities' January 1, 1994 reimbursement rate, any granted trend factor shall be limited to the product of the new plan rate divided by the January 1, 1994, (old plan rate) times the facility's trend factor. For example:

| | |
|-----------------------------------|---------|
| New Plan Rate (1-1-95) | \$49.19 |
| January 1, 1994 Rate | \$54.32 |
| Proposed Trend Factor | \$ 1.88 |
| Adjusted Trend Factor | \$ 1.70 |
| <i>(\$49.19/\$54.32) * \$1.88</i> | |
| <i>90.55% * \$1.88 = \$1.70</i> | |

The rate after the trend factor would be \$56.02 (\$54.32 + \$1.70).]

[(T)](S) Rebasing.

1. The division based on its discretion shall pick at least one (1) cost report year from cost reports with fiscal years ending in 2001 or later to compare the allowable costs from the selected desk audited and/or field audited cost report year to the reimbursement rate in effect at the time of the comparison. The rebased rates shall be determined in accordance with section(s) (20)-(21), **as applicable**.

2. The asset value will be adjusted annually based on the R. S. Means Construction Index. The asset value as adjusted will be used only for determining reimbursement in section (11) for the year(s) selected above for rebasing and as determined in paragraphs (13)(B)6. and (13)(B)7.

[(U)](T) Effective for dates of service beginning April 1, 2010, reimbursement of Medicare/Medicaid crossover claims (crossover claims) for Medicare Part A and Medicare Advantage/Part C inpatient skilled nursing facility benefits shall be as follows:

1. Crossover claims for Medicare Part A inpatient skilled nursing facility benefits in which Medicare was the primary payer and the MO HealthNet Division is the payer of last resort for the coinsurance must meet the following criteria to be eligible for MO HealthNet reimbursement:

A. The crossover claim must be related to Medicare Part A inpatient skilled nursing facility benefits that were provided to MO HealthNet participants also having Medicare coverage; and

B. The crossover claim must contain approved coinsurance days. The amount indicated by Medicare to be the coinsurance due on the Medicare allowed amount is the crossover amount eligible for MO HealthNet reimbursement. The coinsurance amount is based on the days for which Medicare is not the sole payer. These days are referred to as coinsurance days and are days twenty one (21) through one hundred (100) of each Medicare benefit period; and

C. The Other Payer paid amount field on the claim must contain the actual amount paid by Medicare. The MO HealthNet provider is responsible for accurate and valid reporting of crossover claims submitted to MO HealthNet for payment. Providers submitting crossover claims for Medicare Part A inpatient skilled nursing facility benefits to the MO HealthNet program must be able to provide documentation that supports the information on the claim upon request. The documentation must match the information on the Medicare Part A plan's remittance advice. Any amounts paid by MO HealthNet that are determined to be based on inaccurate data will be subject to recoupment; and

D. The nursing facility's Medicaid reimbursement rate multiplied by the approved coinsurance days exceeds the amount paid by Medicare for the same approved coinsurance days;

2. Crossover claims for Medicare Advantage/Part C (Medicare Advantage) inpatient skilled nursing facility benefits in which a Medicare Advantage plan was the primary payer and the MO HealthNet Division is the payer of last resort for the copay (coinsurance) must meet the following criteria to be eligible for MO HealthNet reimbursement:

A. The crossover claim must be related to Medicare Advantage inpatient skilled nursing facility benefits that were provided to MO HealthNet participants who also are either a Qualified Medicare Beneficiary (QMB Only) or Qualified Medicare Beneficiary Plus (QMB Plus); and

B. The crossover claim must be submitted as a Medicare UB 04 Part C Institutional Crossover claim through the division's online Internet billing system; and

C. The crossover claim must contain approved coinsurance days. The amount indicated by the Medicare Advantage plan to be the coinsurance due on the Medicare Advantage plan allowed amount is the crossover amount eligible for MO HealthNet reimbursement. The coinsurance amount is based on the days for which the Medicare Advantage plan is not the sole payer. These days are referred to as coinsurance days and are established by each Medicare Advantage plan; and

D. The Other Payer paid amount field on the claim must contain the actual amount paid by the Medicare Advantage plan. The MO HealthNet provider is responsible for accurate and valid reporting of crossover claims submitted to MO HealthNet for payment. Providers submitting crossover claims for Medicare Advantage inpatient skilled nursing facility benefits to the MO HealthNet program must be able to provide documentation that supports the information on the claim upon request. The documentation must match the information on the Medicare Advantage plan's remittance advice. Any amounts paid by MO HealthNet that are determined to be based on inaccurate data will be subject to recoupment; and

E. The nursing facility's Medicaid reimbursement rate multiplied by the approved coinsurance days exceeds the amount paid by

the Medicare Advantage plan for the same approved coinsurance days;

3. MO HealthNet reimbursement will be the lower of

A. The difference between the nursing facility's Medicaid reimbursement rate multiplied by the approved coinsurance days and the amount paid by either Medicare or the Medicare Advantage plan for those same coinsurance days; or

B. The coinsurance amount; and

4. Nursing facility providers may not submit a MO HealthNet fee for service nursing facility claim for the same dates of service on the crossover claim for Medicare Part A and Medicare Advantage inpatient skilled nursing facility benefits. If it is determined that a MO HealthNet fee for service nursing facility claim is submitted and payment is made, it will be subject to recoupment.

(4) Definitions.

(D) Allowable cost. Those costs which are allowable for allocation to the Medicaid Program based upon the principles established in this regulation. The allowability of costs shall be determined by the *[Division of Medical Services] MO HealthNet Division* and shall be based upon criteria and principles included in this regulation, the *Medicare Provider Reimbursement Manual* (HIM 15) and GAAP. Criteria and principles will be applied using this regulation as the first source, the *Medicare Provider Reimbursement Manual* (HIM 15) as the second source and GAAP as the third source.

(G) Audit. The examination or inspection of a provider's cost report, files, and any other supporting documentation by the MO HealthNet Division or its authorized contractor. The MO HealthNet Division or its authorized contractor may perform the following types of audits:

1. Level I Audit - Requires a limited review of provider cost reports, files, and any other additional information requested and submitted to the MO HealthNet Division or its authorized contractor. The limited review may include, but is not limited to, items such as a comparative analysis of a provider's cost report data to industry data, a review of a provider's prior year data to determine any outliers that may warrant further review, requesting additional details of the reported information, all of which could lead to potential adjustment(s) after such further review, as well as making any standard adjustments. Level I audits may be provided off-site;

2. Level II Audit - Requires a desk review of provider cost reports, files, and any other additional information requested and submitted to the MO HealthNet Division or its authorized contractor. The desk review may include, but is not limited to, review procedures in a Level I Audit, plus a more detailed analysis of a provider's cost report data to identify items that would require further review including requesting additional details of the reported information or documentation to support amounts reflected in the cost report. Level II audits may be provided off-site; and

3. Level III Audit - Requires an in depth audit, including, but not limited to, an on-site review of provider cost reports, files, and any other additional information requested and submitted to the MO HealthNet Division or its authorized contractor. The Level III Audit will require an in depth analysis of a provider's cost report data and an on-site verification of cost report items deemed necessary through a risk assessment or other analyses. Level III audits will require some portions of the provider's records review be provided on-site.

((G))/(H) Average private pay rate. The usual and customary charge for private patient determined by dividing total private patient days of care into private patient revenue net of contractual allowances for the same service that is included in the Medicaid reimbursement rate. This excludes negotiated payment methodologies with state or federal agencies such as the Veteran's Administration or the Missouri Department of Mental Health. Bad debts, charity care, and other miscellaneous discounts are excluded in the computation of the aver-

age private pay rate.

((H))/(I) Bad debt. The difference between the amount expected to be received and the amount actually received. This amount may be written off as uncollectible after all collection efforts are exhausted. Collection efforts must be documented and an aged accounts receivable schedule should be kept. Written procedures should be maintained detailing how, when, and by whom a receivable may be written off as a bad debt.

((I))/(J) Capital. This cost component will be calculated using a fair rental value system (FRV). The fair rental value is reimbursed in lieu of the costs reported on the following lines of the cost report:

1. Version MSIR 1 (7 93): lines 106 112, except for amortization of organizational costs; and

2. Version MSIR 1 (3 95): lines 102 109.

((J))/(K) Capital asset. A facility's building, building equipment, major moveable equipment, minor equipment, land, land improvements, and leasehold improvements as defined in HIM 15. Motor vehicles are excluded from this definition.

((K))/(L) Capital asset debt. The debt related to the capital assets as determined from the desk audited and/or field audited cost report.

((L))/(M) Ceiling. The ceiling is the maximum per diem rate for which a facility may be reimbursed for the patient care, ancillary and administration cost components, and is determined by applying a percentage to the median per diem for the patient care, ancillary, and administration cost components. The percentage is one hundred twenty percent (120%) for patient care, one hundred twenty percent (120%) for ancillary, and one hundred ten percent (110%) for administration.

((M))/(N) Certified bed. Any nursing facility or hospital based bed that is certified by the Department of Health and Senior Services to participate in the Medicaid Program.

((N))/(O) Change of ownership. A change in ownership, control, operator, or leasehold interest, for any facility certified for participation in the Medicaid Program.

((O))/(P) Charity care. Offset to gross billed charges to reduce charges for free services provided to specific types of residents, (i.e. charity care provided to meet Hill Burton Fund obligations or care provided by a religious organization for members, etc.).

((P))/(Q) Contractual allowance. A contra revenue account to reduce gross charges to the amount expected to be received. Contractual allowances represent the difference between the private pay rate and a contracted rate which the facility contracted with an outside party for full payment of services rendered (i.e. Medicaid, Medicare, managed care organizations, etc.). No efforts are made to collect the difference.

((Q))/(R) Cost components. The groupings of allowable costs used to calculate a facility's per[-] diem rate. They are patient care, ancillary, capital, and administration. In addition, a working capital allowance is provided.

((R))/(S) Cost report. The Financial and Statistical Report for Nursing Facilities, required attachments as specified in paragraph (10)(A)7. of this regulation, and all worksheets supplied by the division for this purpose. The cost report shall detail the cost of rendering both covered and noncovered services for the fiscal reporting period in accordance with this regulation and the cost report instructions and shall be prepared on forms *[or diskettes]* provided by and/or as approved by the division.

1. Cost Report version MSIR 1 (7 93) shall be used for completing cost reports with fiscal years ending prior to January 1, 1995 and shall be denoted as CR (7 93) throughout the remainder of this regulation.

2. Cost Report version MSIR 1 (3 95) shall be used for completing cost reports with fiscal years ending on or after January 1, 1995 and shall be denoted as CR (3 95) throughout the remainder of this regulation.

((S))/(T) Data bank. The data from the rate base year cost reports excluding the following facilities: hospital based, state operated, pediatric, HIV, terminated, or interim rate. If a facility has more than

one (1) cost report with periods ending in the rate base year, the cost report covering a full twelve (12) month period ending in the rate base year will be used. If none of the cost reports cover a full twelve (12) months, the cost report with the latest period ending in the rate base year will be used.

1. The initial rate base year shall be 1992 and the data bank shall include cost reports with an ending date in calendar year 1992. The 1992 initial base year data shall be used to set rates effective for dates of service beginning January 1, 1995 through June 30, 2004. The 1992 initial base year data is adjusted for the **Health Care Finance Administration (HCFA)** Market Basket Index for 1993 of 3.9%, 1994 of 3.4%, and nine (9) months of 1995 of 3.3%, for a total adjustment of 10.6%.

2. The rate base year used for rebasing shall be 2001 and the data bank shall include cost reports with an ending date in calendar year 2001. The 2001 rebase year data shall be used to set rates effective for dates of service beginning July 1, 2004 through such time rates are rebased again or calculated on some other cost report as set forth in regulation. The 2001 rebase year data is adjusted for the CMS Market Basket Index for SFY 2002 of 3.2%, SFY 2003 of 3.4%, SFY 2004 of 2.3%, and SFY 2005 of 2.3%, for a total adjustment of 11.2%.

[(T)](U) Department. The department, unless otherwise specified, refers to the Missouri Department of Social Services.

[(U)](V) Department of Health and Senior Services. The department of the state of Missouri responsible for the survey, certification, and licensure of nursing facilities as prescribed in Chapter 198, RSMo. Previously, the agency responsible for these duties was the Division of Aging within the Department of Social Services.

[(V)](V) Desk audit. *The Division of Medical Services' or its authorized agent's audit of a provider's cost report without a field audit.*

[(D)](D) Field audit. *An on-site audit of the nursing facility's records performed by the department or its authorized agent.*

[(E)](D) Generally accepted accounting principles (GAAP). Accounting conventions, practices, methods, rules, and procedures necessary to describe accepted accounting practice at a particular time as established by the authoritative body establishing such principles.

[(F)](E) HCFA Market Basket Index. An index showing nursing home market basket indexes. The index is published quarterly by DRI/McGraw Hill. The table used in this regulation is titled "DRI Health Care Cost National Forecasts, HCFA Nursing Home Without Capital Market Basket." HCFA became known as the Center for Medicare and Medicaid Services (CMS) and the table name changed accordingly. The publication and publisher have also changed names but the publication still provides essentially the same information. The publication is known as the Health Care Cost Review and it is published by Global Insight. The same or comparable index and table shall continue to be used, regardless of any changes in the name of the publication, publisher, or table.

[(G)](F) Hospital based. Any nursing facility bed licensed and certified by the Department of Health and Senior Services, Section for Health Facilities Regulation, which is physically connected to or located in a hospital.

[(H)](G) Interim rate. The interim rate is the sum of one hundred percent (100%) of the patient care cost component ceiling, ninety percent (90%) of the ancillary and administration cost component ceilings, ninety five percent (95%) of the median per diem for the capital cost component, and the working capital allowance using the interim rate cost component. The median per diem for capital will be determined from the capital component per diems of providers with prospective rates in effect on January 1, 1995 for the initial rate base year; July 1, 2004 for the 2001 rebased year; and March 15, 2005 for the revised rebase calculations effective for dates of service beginning April 1, 2005 and for the per diem rate calculation effective for dates of service beginning July 1, 2005 forward.

[(I)](H) Licensed bed. Any skilled nursing facility or intermediate care facility bed meeting the licensing requirement of the Missouri Department of Health and Senior Services.

[(J)](I) Miscellaneous discounts/other revenue deductions. A contra revenue account to reduce gross charges to the amount expected to be received. These deductions represent other miscellaneous discounts not specifically defined as a bad debt. Written policies must be maintained detailing the circumstances under which the discounts are available and must be uniformly applied.

[(K)](J) Median. The middle value in a distribution, above and below which lie an equal number of values. The distribution for purposes of this regulation includes the per diems calculated for each facility based on or derived from the data in the data bank. The per diem for each facility is the allowable cost per day which is calculated by dividing the facility's allowable costs by the patient days. For the administration cost component, each facility's per diem included in the data bank and used to determine the median shall include the adjustment for minimum utilization set forth in subsection (7)(O) by dividing the facility's allowable costs by the greater of the facility's actual patient days or the calculated minimum utilization days.

[(L)](K) Nursing facility (NF). Effective October 1, 1990, skilled nursing facilities, skilled nursing facilities/intermediate care facilities, and intermediate care facilities as defined in Chapter 198, RSMo participating in the Medicaid Program will all be subject to the minimum federal requirements found in section 1919 of the Social Security Act.

[(M)](L) Occupancy rate. A facility's total actual patient days divided by the total bed days for the same period as determined from the desk audited and/or field audited cost report. For a distinct part facility **that only has part of its total licensed beds certified for participation in the MO HealthNet program** and that completes a worksheet one, **version MSIR (7-93) or (3-95)** of the cost report, *[version MSIR (7-93) or (3-95)]* determines the occupancy rate from the total actual patient days from the certified portion of the facility divided by the total bed days from the certified portion for the same period, as determined from the desk audited and/or field audited cost report.

[(N)](M) Patient care. This cost component includes the following lines from the cost report:

1. Version MSIR 1 (7 93): lines 45 60, 77 85; and
2. Version MSIR 1 (3 95): lines 46 70.

[(O)](N) Patient day. The period of service rendered to a patient between the census taking hour on two (2) consecutive days. Census shall be taken in all facilities at midnight each day and a census log maintained in each facility for documentation purposes. "Patient day" includes the allowable temporary leave of absence days per subsection (5)(D) and hospital leave days per subsection (5)(M). The day of discharge is not a patient day for reimbursement unless it is also the day of admission.

[(P)](O) Per diem. The daily rate calculated using this regulation's cost components and used in the determination of a facility's prospective and/or interim rate.

[(Q)](P) Provider or facility. A nursing facility with a valid Medicaid participation agreement with the Department of Social Services for the purpose of providing nursing facility services to Title XIX eligible *[recipients]* **participants**.

[(R)](Q) Prospective rate. The rate determined from the rate setting cost report.

[(S)](R) Rate setting period. The period in which a facility's prospective rate is determined. The cost report that contains the data covering this period will be used to determine the facility's prospective rate and is known as the rate setting cost report. The rate setting period for a facility is determined from applicable regulations on or after July 1, 1990.

[(T)](S) Reimbursement rate. A prospective or interim rate.

[(U)](T) Related parties. Parties are related when any one (1) of the following circumstances apply:

1. An entity where, through its activities, one (1) entity's transactions are for the benefit of the other and such benefits exceed those

which are usual and customary in such dealings;

2. An entity has an ownership or controlling interest in another entity; and the entity, or one (1) or more relatives of the entity, has an ownership or controlling interest in the other entity. For the purposes of this paragraph, ownership, or controlling interest does not include a bank, savings bank, trust company, building and loan association, savings and loan association, credit union, industrial loan and thrift company, investment banking firm, or insurance company unless the entity directly, or through a subsidiary, operates a facility; and

3. As used in this regulation, the following terms mean:

A. Indirect ownership/interest means an ownership interest in an entity that has an ownership interest in another entity. This term includes an ownership interest in any entity that has an indirect ownership interest in an entity;

B. Ownership interest means the possession of equity in the capital, in the stock, or in the profits of an entity. Ownership or controlling interest is when an entity

(I) Has an ownership interest totalling five percent (5%) or more in an entity;

(II) Has an indirect ownership interest equal to five percent (5%) or more in an entity. The amount of indirect ownership interest is determined by multiplying the percentages of ownership in each entity;

(III) Has a combination of direct and indirect ownership interest equal to five percent (5%) or more in an entity;

(IV) Owns an interest of five percent (5%) or more in any mortgage, deed of trust, note, or other obligation secured by an entity if that interest equals at least five percent (5%) of the value of the property or assets of the entity. The percentage of ownership resulting from these obligations is determined by multiplying the percentage of interest owned in the obligation by the percentage of the entity's assets used to secure the obligation;

(V) Is an officer or director of an entity; or

(VI) Is a partner in an entity that is organized as a partnership; and

C. Relative means person related by blood, adoption, or marriage to the fourth degree of consanguinity.

~~/(VV)/(UU)~~ Replacement beds. Newly constructed beds never certified for Medicaid or previously licensed by the Department of Health and Senior Services and put in service in place of existing Medicaid beds. The number of replacement beds being certified for Medicaid shall not exceed the number of beds being replaced.

~~/(WW)/(VV)~~ Renovations/major improvements. Capital cost incurred for improving a facility excluding replacement beds and additional beds.

~~/(XX)/(WW)~~ Restricted funds. Funds, cash, cash equivalent, or marketable securities, including grants, gifts, taxes, and income from endowments which must only be used for a specific purpose designated by the donor.

~~/(YY)/(XX)~~ Total facility size. Facility size plus increases minus decreases of licensed nursing facility beds plus calculated bed equivalents for renovations/major improvements.

~~/(ZZ)/(YY)~~ Unrestricted funds. Funds, cash, cash equivalents, or marketable securities, including grants, gifts, taxes, and income from endowments, that are given to a provider without restriction by the donor as to their use.

(5) Covered Supplies, Items, and Services. All supplies, items, and services covered in the reimbursement rate must be provided to the resident as necessary. Supplies and services **[which] that** would otherwise be covered in a reimbursement rate but which are also billable to the Title XVIII Medicare Program must be billed to that program for facilities participating in the Title XVIII Medicare Program. Covered supplies, items, and services include, but are not limited to, the following:

(A) Services, items, and covered supplies required by federal or state law or regulation **[which] that** must be provided by nursing

facilities participating in the Title XIX program;

(C) Private room and board when it is necessary to isolate a **[recipient] participant** due to a medical or social condition examples of which may be contagious infection, loud irrational speech, etc.;

(D) Temporary leave of absence days for Medicaid **[recipients] participants**, not to exceed twelve (12) days for the first six (6) calendar months and not to exceed twelve (12) days for the second six (6) calendar months. Temporary leave of absence days must be specifically provided for in the **[recipient's] participant's** plan of care and prescribed by a physician. Periods of time during which a **[recipient] participant** is away from the facility visiting a friend or relative are considered temporary leaves of absence.

(6) Noncovered Supplies, Items, and Services. All supplies, items, and services which are either not covered in a facility's reimbursement rate or are billable to another program in Medicaid, Medicare, or other third party **[payor] payer**. Noncovered supplies, items, and services include, but are not limited to, the following:

(A) Private room and board unless it is necessary to isolate a **[recipient] participant** due to a medical or social condition, examples of which may be contagious infection, loud irrational speech, etc. Unless a private room is necessary due to such a medical or social condition, a private room is a non-covered service and a Medicaid **[recipient] participant** or responsible party may therefore pay the difference between a facility's semiprivate charge and its charge for a private room. Medicaid **[recipients] participants** may not be placed in private rooms and charged any additional amount above the facility's Medicaid reimbursement rate unless the **[recipient] participant** or responsible party specifically requests in writing a private room prior to placement in a private room and acknowledges that an additional amount not payable by Medicaid will be charged for a private room;

(7) Allowable Cost Areas.

(D) Vehicle Costs. Costs related to allowable vehicles shall be accounted for as set forth below. Allowable vehicles are vehicles **[which] that** are a necessary part of the operation of a nursing facility **and are limited as follows:** One (1) vehicle per sixty (60) licensed beds is allowable. For example, one (1) vehicle is allowed for a facility with zero to sixty (0 60) licensed beds, two (2) vehicles are allowed for a facility with sixty one to one hundred twenty (61 120) licensed beds, and so forth. **Vehicles subject to the limit include cars, trucks, vans, sport utility vehicles (SUVs), and shuttle buses. Golf carts, utility terrain vehicles (UTVs), all terrain vehicles (ATVs), and other vehicles not aforementioned in this subsection shall not be included in the total vehicle count for the limit.** Costs related to vehicles that are disallowed shall also be disallowed and adjustments made accordingly.

1. Depreciation.

A. An appropriate allowance for depreciation on allowable vehicles is reported on line 139 of the cost report, version MSIR 1 (7 93) and on line 133 of CR (3 95).

B. The depreciation must be identifiable and recorded in the provider's accounting records, based on the basis of the vehicle and prorated over the estimated useful life of the vehicle in accordance with American Hospital Association depreciable guidelines using the straight line method of depreciation from the date initially put into service.

C. The basis of vehicle cost at the time placed in service shall be the lower of

(I) The book value of the provider;

(II) Fair market value at the time of acquisition; or

(III) The recognized Internal Revenue Service (IRS) tax basis.

D. The basis of a donated vehicle will be allowed to the extent of recognition of income resulting from the donation of the vehicle. Should a dispute arise between a provider and the division

as to the fair market value at the time of acquisition of a depreciable vehicle, an appraisal by a third party is required. The appraisal cost will be the sole responsibility of the nursing facility.

E. Historical cost will include the cost incurred to prepare the vehicle for use by the nursing facility.

F. When a vehicle is acquired by trading in an existing vehicle, the cost basis of the new vehicle shall be the sum of undepreciated cost basis of the traded vehicle plus the cash paid.

2. Interest. Interest cost on vehicle debt related to allowable vehicles shall be reported on line 139 of CR (7 93) and line 134 of CR (3 95).

3. Insurance. Insurance cost related to allowable vehicles shall be reported on line 140 of CR (7 93) and line 135 of CR (3 95).

4. Rental and leases. Lease cost related to allowable vehicles shall be reported on line 139 of CR (7 93) and on line 135 of CR (3 95).

5. Personal property taxes. Personal property taxes related to allowable vehicles shall be reported on line 112 of CR (7 93) and on line 109 of CR (3 95).

6. Other miscellaneous maintenance and repairs. Other miscellaneous maintenance and repairs related to allowable vehicles shall be reported on line 139 of CR (7 93) and on line 135 of CR (3 95).

(F) Interest and Borrowing Costs on Capital Asset Debt. Allowable interest and borrowing costs, as set forth below, are reimbursed as part of the capital cost component per diem detailed in sub section (11)(D).

1. Interest will be reimbursed for necessary loans for outstanding capital asset debt from the rate setting cost report at the prime rate plus two (2) percentage points, as set forth in paragraph (11)(D)3.

2. Loans (including finance charges, prepaid costs, and discounts) must be supported by evidence of a written agreement that funds were borrowed and repayment of the funds are required. The loan costs must be identifiable in the provider's accounting records, must be related to the reporting period in which the costs are claimed, and must be necessary for the acquisition and/or renovation of the provider's facility.

3. Necessary means that the loan be incurred to satisfy a financial need of the provider and for a purpose related to *[recipient/participant]* care. Loans which result in excess funds or investments are not considered necessary.

4. A provider shall capitalize borrowing costs and amortize them over the life of the loan on a straight line basis. Borrowing costs include loan costs (that is, lender's title and recording fees, appraisal fees, legal fees, escrow fees, and other closing costs), finance charges, prepaid interest, and discounts. Finder's fees are not allowed.

5. If loans for capital asset debt exceed the facility asset value, the interest and borrowing costs associated with the portion of the loan or loans which exceeds the facility asset value shall not be allowable.

6. An illustration of how allowable interest and allowable borrowing costs is calculated is detailed in paragraphs (11)(D)3. and 4.

(8) Non allowable Costs. Costs not reasonably related to nursing facility services shall not be included in a provider's costs. Non allowable costs include, but are not limited to, the following:

(P) Owner's compensation in excess of the applicable range of the most recent survey of administrative salaries paid to individuals other than owners for proprietary and non proprietary providers as published in the updated *Medicare Provider Reimbursement Manual* Part 1, Section 905.2 and based upon the total number of working hours.

1. The applicable range will be determined as follows:

A. Number of licensed beds owned or managed; and

B. *[Owners/administrators]* Owners acting as administrators will be adjusted on the basis of the high range. Owners included in home office costs or management company costs will be adjusted on the high range. All others will be calculated on the medi-

an range.

2. The salary identified above will be apportioned on the basis of hours worked in the facility(ies), home office, or management company as applicable to total hours in the facility(ies), home office, or management company;

(9) Revenue Offsets.

(A) Other revenues must be identified separately in the cost report. These revenues are offset against expenses. Such revenues include, but are not limited to, the following:

1. Income from telephone services;
2. Sale of employee and guest meals;
3. Sale of medical abstracts;
4. Sale of scrap and waste food or materials;
5. Cash, trade, quantity, time, and other discounts;
6. Purchase rebates and refunds;
7. Recovery on insured loss;
8. Parking lot revenues;
9. Vending machine commissions or profits;
10. Sales from supplies to individuals other than nursing facility

[recipients/ participants] participants;

11. Room reservation charges other than covered therapeutic home leave days and hospital leave days;
12. Barber and beauty shop revenue;
13. Private room differential;
14. Medicare Part B revenues/./.

A. Revenues received from Part B charges through Medicare intermediaries will be offset/./.

B. Seventy five percent (75%) of the revenues received from Part B charges through Medicare carriers will be offset;

15. Personal services;
16. Activity income; and
17. Revenue recorded for donated services and commodities.

(10) Provider Reporting and Record Keeping Requirements.

(A) Annual Cost Report. The cost report (version MSIR 1 (3 95)) and cost report instructions (revised 3//95) are incorporated by reference and made a part of this rule as published by the Department of Social Services, MO HealthNet Division, 615 Howerton Court, Jefferson City, MO 65109, *[August 1, 2008/ March 1, 2021]*. This rule does not incorporate any subsequent amendments or additions.

1. Each provider shall adopt the same twelve (12) month fiscal period for completing its cost report as is used for federal income tax reporting.

2. Each provider is required to complete and submit to the division **or its authorized contractor** an annual cost report, including all worksheets, attachments, schedules, and requests for additional information from the division **or its authorized contractor**. The cost report shall be submitted on forms provided by the division **or its authorized contractor** for that purpose. Any substitute or computer generated cost report must have prior approval by the division **or its authorized contractor**.

3. All cost reports shall be completed in accordance with the requirements of this regulation and the cost report instructions. Financial reporting shall adhere to GAAP, except as otherwise specifically indicated in this regulation.

4. The cost report submitted must be based on the accrual basis of accounting. Governmental institutions operating on a cash or modified cash basis of accounting may continue to report on that basis, provided appropriate treatment for capital expenditures is made under GAAP.

5. Cost reports shall be submitted by the first day of the sixth month following the close of the fiscal period. **A provider may request, in writing, a reasonable extension of the cost report filing date for circumstances that are beyond the control of the provider and that are not a product or result of the negligence or malfeasance of the nursing facility. Such circumstances may**

include public health emergencies; unavoidable acts of nature such as flooding, tornado, earthquake, lightning, hurricane, natural wildfire, or other natural disaster; or, vandalism and/or civil disorder. The division may, at its discretion, grant the extension.

6. If a cost report is more than ten (10) days past due, payment *[shall]* may be withheld from the facility until the cost report is submitted. Upon receipt of a cost report prepared in accordance with this regulation, the payments that were withheld will be released to the provider. For cost reports which are more than ninety (90) days past due, the department may terminate the provider's MO HealthNet participation agreement and if terminated retain all payments which have been withheld pursuant to this provision.

7. Copies of signed agreements and other significant documents related to the provider's operation and provision of care to MO HealthNet participants must be attached (unless otherwise noted) to the cost report at the time of filing unless current and accurate copies have already been filed with the division **or its authorized contractor**. Material which must be submitted or available upon request includes, but is not limited to, the following:

A. Audit prepared by an independent accountant, including disclosure statements and management letter or SEC Form 10 K;

B. Contracts or agreements involving the purchase of facilities or equipment during the last seven (7) years if requested by the division, the department, or its *[agents]* **authorized contractor**;

C. Contracts or agreements with owners or related parties;

D. Contracts with consultants;

E. Documentation of expenditures, by line item, made under all restricted and unrestricted grants;

F. Federal and state income tax returns for the fiscal year, if requested by the division, the department, or its *[agents]* **authorized contractor**;

G. Leases and/or rental agreements related to the activities of the provider if requested by the division, the department, or its *[agents]* **authorized contractor**;

H. Management contracts;

I. Medicare cost report, if applicable;

J. Review and compilation statement;

K. Statement verifying the restrictions as specified by the donor, prior to donation, for all restricted grants;

L. Working trial balance actually used to prepare the cost report with line number tracing notations or similar identifications; and

M. Schedule of capital assets with corresponding debt.

8. Cost reports must be fully, clearly, and accurately completed. All required attachments must be submitted before a cost report is considered complete. If any additional information, documentation, or clarification requested by the division or its authorized *[agent]* **contractor** is not provided within fourteen (14) days of the date of receipt of the division's request, payments may be withheld from the facility until the information is submitted.

9. Under no circumstances will the division accept amended cost reports for rate determination or rate adjustment after the date of the division's notification of the final determination of the rate.

10. Exceptions. A cost report *[may]* is not *[be]* required for the following *[if a provider requests a waiver in writing. Upon review of the provider's request, the division shall provide a written response, indicating its decision as to whether a waiver shall be granted.]*:

A. Hospital based providers which provide less than one thousand (1,000) patient days of nursing facility services for Missouri Title XIX *[recipients]* **participants**, relative to their fiscal year.

B. Change in provider status. **The cost report filing requirement for the cost report relating to the terminating provider from a change of control, ownership, or termination of participation in the MO HealthNet program is not required, unless the terminating cost report is a full twelve- (12-) month cost report. If a rebase is done for a year in which there is no cost report, the cost**

report for the year prior to the change of control, ownership, or termination shall be used in the rebase calculation. A trend from the prior year cost report to the rebase year may be applied, if applicable.

[(I) Providers which provide less than one thousand (1,000) patient days of nursing facility services for Missouri Title XIX recipients, relative to their fiscal year, and have less than a twelve- (12-) month cost report due to a termination, change of ownership, or being newly MO HealthNet certified.

[(II) Beginning in SFY-04, the division may waive the cost report filing requirement for the cost report resulting from a change of control, ownership, or termination of participation in the MO HealthNet program if the old/terminating provider can show financial hardship in providing the cost report. The old/terminating provider must submit a written request to the division, indicating and providing documentation for the financial hardship caused by filing the cost report.

[(III) Beginning in SFY-07, the division may waive the cost report filing requirement for the cost report resulting from a change of control or ownership of participation in the MO HealthNet program if the old and new providers can provide assurances satisfactory to the division that the new providers will submit a cost report in the calendar year in which the change occurred and that the cost report will cover at least a three- (3-) month period. A written request jointly submitted by the old and new providers, indicating the new provider's fiscal year end and the dates that the cost report will cover, may provide adequate assurances.]

11. **[Cost report requirements] Notification of change in provider status** and withholding of funds for a change in provider status. A provider shall provide written notification to the assistant deputy director of the Institutional Reimbursement Unit of the division prior to a change of control, ownership, or termination of participation in the MO HealthNet program. *[If a provider does not qualify for an exception for filing a cost report as detailed above in subparagraph (10)(A)10.C., the division may withhold payments due to the provider pending receipt of the required cost report. The cost report must be prepared in accordance with this regulation with all required attachments and documentation and is due the first day of the sixth month after the date of change of control, ownership, or termination. Upon receipt of the fully completed cost report, any payments withheld will be released, less any amounts owed to the division such as unpaid NFRA, overpayments, etc.] The division may withhold funds due to a change in provider status as follows:*

A. If the division receives notification prior to the change of control, ownership, or termination of participation in the MO HealthNet program, the division will withhold a minimum of thirty thousand dollars (\$30,000) of the remaining payments from the old/terminating provider. *[until the cost report is filed. Upon receipt of the cost report prepared in accordance with this regulation, any]* **After six (6) months, any** payments withheld will be released to the old/terminating provider, less any amounts owed to the division such as unpaid NFRA, overpayments, etc.; **or**

B. If the division does not receive notification prior to a change of control or ownership, the division will withhold thirty thousand dollars (\$30,000) of the next available MO HealthNet payment from the provider identified in the current MO HealthNet participation agreement *[until the required cost report is filed]*. If the MO HealthNet payment is less than thirty thousand dollars (\$30,000), the entire payment will be withheld. *[Upon receipt of the cost report prepared in accordance with this regulation, any]* **After six (6) months, any** payments withheld will be released to the provider identified in the current MO HealthNet participation agreement, less any amounts owed to the division such as unpaid

NFRA, overpayments, etc.

[C. The division may, at its discretion, delay the withholding of funds specified in subparagraphs (10)(A)11.A. and B. until the cost report is due based on assurances satisfactory to the division that the cost report will be timely filed. A request jointly submitted by the old and new provider may provide adequate assurances. The new provider must accept responsibility for ensuring timely filing of the cost report and authorize the division to immediately withhold thirty thousand dollars (\$30,000) if the cost report is not timely filed.]

(C) Adequate Records and Documentation.

1. A provider must keep records in accordance with GAAP and maintain sufficient internal control and documentation to satisfy audit requirements and other requirements of this regulation, including reasonable requests by the division or its authorized *[agent]* contractor for additional information.

2. Each of a provider's funded accounts must be separately maintained with all account activity clearly identified.

3. Adequate documentation for all line items on the cost report shall be maintained by a provider. Upon request, all original documentation and records must be made available for review by the division or its authorized *[agent]* contractor at the same site at which the services were provided or at the central office/home office if located in the state of Missouri. Copies of documentation and records shall be submitted to the division or its authorized *[agent]* contractor upon request.

4. Each facility shall retain all financial information, data, and records relating to the operation and reimbursement of the facility for a period of not less than seven (7) years.

(D) Audits.

1. Any cost report submitted may be subject to a **Level III Audit (also known as a field audit)** by the division or its authorized *[agent]* contractor.

2. A provider shall have available at the field audit location one (1) or more knowledgeable persons authorized by the provider and capable of explaining the provider's accounting and control system and cost report preparation, including all attachments and allocations.

3. If a provider maintains any records or documentation at a location which is not the same as the site where services were provided, other than central offices/home offices not located in the state of Missouri, the provider shall transfer the records to the same facility at which the Medicaid services were provided, or the provider must reimburse the division or its authorized *[agent]* contractor for reasonable travel costs necessary to perform any part of the field audit in any off site location, if the location is acceptable to the division.

4. Those providers initially entering the program shall be required to have an annual independent audit of the financial records, used to prepare annual cost reports covering, at a minimum, the first two (2) full twelve (12) month fiscal years of their participation in the Medicaid Program, in accordance with GAAP and generally accepted auditing standards. The audit shall include, but may not be limited to, the Balance Sheet, Income Statement, Statement of Retained Earnings, and Statement of Cash Flow. For example, a provider begins participation in the Medicaid program in March and chooses a fiscal year of October 1 to September 30. The first cost report will cover March through September. That cost report may be audited at the option of the provider. The October 1 to September 30 cost report, the first full twelve (12) month fiscal year cost report, shall be audited. The next October 1 to September 30 cost report, the second full twelve (12) month cost report, shall be audited. The audits shall be done by an independent certified public accountant. **The independent audits of the first two (2) full twelve- (12-) month fiscal years may be performed at the same time. The provider may submit two (2) independent audit reports (i.e., one for each year) or they may submit one (1) combined independent audit report covering both years. The independent audit report(s)**

for combined audits are due with the filing of the second full twelve- (12-) month cost report. If the independent audits are combined, the provider must notify the division of such by the due date of the first full twelve- (12-) month cost report.

(14) Exceptions.

[(A) For those Medicaid-eligible recipients who have concurrent Medicare Part A skilled nursing facility benefits available, Medicaid reimbursement for covered days of stay in a qualified facility will be based on this coinsurance as may be imposed under Title XVIII.]

(A) Requirements for Placement of MO HealthNet Participants in Out-of-State Nursing Facilities and Reimbursement for Out-of-State Nursing Facilities.

1. In order to provide nursing facility services to MO HealthNet participants when there is no Missouri nursing facility with a suitable bed available that meets the medical needs of the participant, the division may authorize placement of a MO HealthNet participant in an out-of-state facility.

2. The division will only authorize placement of a MO HealthNet participant into an out-of-state facility if

A. No Missouri nursing facility bed is available that meets the medical needs of the participant;

B. In-state alternatives for providing services have been exhausted; and

C. Prior approval for placement into an out-of-state nursing facility is requested from and approved by the division.

3. Once a Missouri nursing facility bed meeting the medical needs of the participant is available, the participant must return to Missouri. If the participant does not return to Missouri, the division may withhold payments for nursing facility services, unless the participant's health would be endangered if required to travel to Missouri. Participant's physician would need to certify that the participant's health would be endangered from the travel to Missouri.

4. No fiscal year-end Missouri Medicaid cost report will be required from the out-of-state nursing facility nor will there be any requirement for Missouri-conducted periodic audits.

*[(B)]*5. The Title XIX reimbursement rate for out of state providers shall be set as follows:

*[1.]*A. For out of state providers which provided services for Missouri Title XIX *[recipients]* participants, the reimbursement rate shall be *[the rate paid for comparable services and level of care by the state in which the provider is located. The reimbursement rate will remain in effect until]* the lower of

(I) The weighted average MO HealthNet rate for comparable services at the beginning of the state fiscal year in which the provider enters the MO HealthNet program; or

(II) The rate paid to the out-of-state nursing facility for comparable services by the state in which the provider is located. The out-of-state provider must notify the division of any reimbursement changes made by its state Medicaid agency. The provider must also include a copy of the rate letter issued by their state Medicaid agency detailing the rate and effective date. The effective date of the rate change is as follows:

[A.](a) Rate increases *[The division receives written notification of an increase in the provider's rate as issued by the state MO HealthNet agency in which the provider is located. The provider must also include a copy of the rate letter issued by their state detailing the rate and effective date.]* If the provider notifies the division within thirty (30) days of receipt of notification from their state of the per diem rate increase, the effective date of the rate increase for purposes of reimbursement from Missouri shall be the same date as indicated in the issuing state's rate letter. If the division does not receive written notification from the provider within thirty (30) days of the date the provider received notification from their state of the rate increase, the effective date of the rate increase for purposes of reimbursement from

Missouri shall be the first day of the month following the date the division receives notification; or

[B.](b) Rate decreases [The division receives written notification of a decrease in the provider's rate as issued by the state Medicaid agency in which the provider is located including a copy of the rate letter issued by their state detailing the rate and effective date.] The effective date of the rate decrease for purposes of reimbursement from Missouri shall be the same date as indicated in the issuing state's rate letter.

[(C)](B) The Title XIX reimbursement rate for hospital based providers/, which] that provide services of less than one thousand (1,000) patient days for Missouri Title XIX *[recipients]* participants, relative to their fiscal year, and that are exempt from filing a cost report as prescribed in section (10)/. shall be determined as follows:

1. For hospital based nursing facilities that have less than one thousand (1,000) Medicaid patient days, the rate base cost report will not be required. The prospective rate will be the sum of the ceilings for the patient care, ancillary, and administration/, cost components, plus the working capital allowance/, and the median per diem for capital. In addition, the patient care incentive of ten percent (10%) of the patient care median will be granted./; and

2. For hospital based nursing facilities with a provider agreement in effect on December 31, 1994, a prospective rate shall be set by one (1) of the following:

A. The hospital based nursing facility requests, in writing, that their prospective rate be determined from their rate setting cost report as set forth in this regulation; or

B. The sum of the ceilings for patient care, ancillary, administration and working capital allowance, and the median per diem for capital from the permanent capital per diem in effect January 1, 1995 for the initial rate base year; July 1, 2004 for the 2001 rebased year; and March 15, 2005 for the revised rebase calculations effective for dates of service beginning April 1, 2005 and for the per diem rate calculation effective for dates of service beginning July 1, 2005 for ward. In addition, the patient care incentive of ten percent (10%) of the patient care median will be granted.

(17) Payment in Full. Participation in the program shall be limited to providers who accept as payment in full, for covered services rendered to Medicaid *[recipients]* participants, the amount paid in accordance with these regulations and other applicable payments.

(22) Prospective Rate Determination Beginning November 1, 2020. Prospective rates determined on or after November 1, 2020 shall be calculated as follows:

(A) Prospective Rate Determination for Nursing Facilities Newly Medicaid Certified after June 30, 2004. As set forth in subsection (12)(F), a nursing facility never previously certified for participation in the Medicaid program shall receive an interim rate upon entering the Medicaid program. The nursing facility shall have its prospective rate set on its second full twelve- (12-) month cost report following the facility's initial date of certification, referred to as the rate setting cost report. The period to which the rate setting cost report relates is referred to as the rate setting period;

(B) The prospective rate shall be calculated in accordance with the provisions of the regulation in effect from the beginning of the facility's rate setting period through the date the prospective rate is determined, as detailed below. If industry-wide rate changes were implemented during this period the provision of the regulation relating to the effective date of the rate change shall be the governing regulation for those dates of service; and

(C) The prospective rate shall be calculated using the same principles and methodology as detailed throughout sections (1) (19) of this regulation and the updated items detailed in subsections (21)(A)-(L), except for the following:

1. Paragraphs (21)(L)2. and (21)(L)3. shall not be applied in

determining the prospective rate; and

2. The total rate determined from the rate setting cost report shall be adjusted by any global per diem adjustments granted after the beginning of the facility's rate setting period through the effective date of the prospective rate; and

3. The effective date for a facility's prospective rate is as follows:

A. The effective date for facilities with a rate setting cost report period that begins prior to November 1, 2020 shall be November 1, 2020; and

B. The effective date for facilities with a rate setting cost report period that begins after November 1, 2020 shall be the beginning of the rate setting cost report period; and

4. The total rate that has been trended shall be limited to a cap, referred to as the total rate cap. The total trended rate shall be limited to the total rate cap that is in effect on the effective date of the prospective rate, as follows:

A. The total rate cap in effect on November 1, 2020 is one hundred ninety dollars (\$190); and

B. The total rate cap set forth above, one hundred ninety dollars (\$190), shall be adjusted by any global per diem adjustments granted after November 1, 2020; and

5. Once the prospective rate is finalized, a retroactive payment shall be made back to the effective date, if applicable; and

6. The prospective rate determined in (22)(C)1.-5. shall be adjusted by any global per diem adjustments set forth in 13 CSR 70-10.016 that are granted after the effective date of the prospective rate.

AUTHORITY: [section 208.159, RSMo 2000, and sections 208.153 and 208.201, RSMo Supp. 2013] sections 208.153, 208.159, 208.201, and 660.017, RSMo 2016. Emergency rule filed Dec. 21, 1994, effective Jan. 1, 1995, expired April 30, 1995. Emergency rule filed April 21, 1995, effective May 1, 1995, expired Aug. 28, 1995. Original rule filed Dec. 15, 1994, effective July 30, 1995. For intervening history, please consult the Code of State Regulations. Amended: Filed Feb. 26, 2021.

PUBLIC COST: This proposed amendment will cost state agencies or political subdivisions approximately \$2.15 million annually beginning in SFY 2021.

PRIVATE COST: This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with the Department of Social Services, Legal Services Division Rulemaking, PO Box 1527, Jefferson City, MO 65102 1527, or by email to Rules.Comment@dss.mo.gov. To be considered, comments must be received within thirty (30) days after publication of this notice in the Missouri Register. No public hearing is scheduled.

**FISCAL NOTE
PUBLIC COST**

- I. Department Title:** Title 13 - Department of Social Services
Division Title: Division 70 - MO HealthNet Division
Chapter Title: Chapter 10 - Nursing Home Program

| | |
|------------------------------|---|
| Rule Number and Name: | 13 CSR 70-10.015 Prospective Reimbursement Plan for Nursing Facility Services |
| Type of Rulemaking: | Proposed Amendment |

II. SUMMARY OF FISCAL IMPACT

| Affected Agency or Political Subdivision | Estimated Cost of Compliance in the Aggregate |
|--|--|
| Department of Social Services MO HealthNet Division | Beginning in SFY 2021, the Estimated Annual Cost = \$2,152,033 |
| Non-State Government Owned Nursing Facilities (43) | No estimated annual costs of compliance |

III. WORKSHEET

| Description | Nursing Facility Rate Increase | Hospice Nursing Home Room & Board | Total Impact |
|---|--------------------------------|-----------------------------------|--------------|
| Estimated Annual Days for Nursing Facilities Needing to have Prospective Rate Set | 43,957 | 4,634 | |
| Estimated Per Diem Increase for New Prospective Rate Setting Methodology | \$44.53 | \$42.00 | |
| Estimated Annual Impact | \$1,957,405 | \$194,628 | \$2,152,033 |
| State Share (34.867%) | \$682,488 | \$67,861 | \$750,349 |
| Federal Share (65.133%) | \$1,274,917 | \$126,767 | \$1,401,684 |

IV. ASSUMPTIONS

Department of Social Services, MO HealthNet Division: The above impact to DSS, MHD was calculated using the following assumptions:

Estimated Paid Days:**Nursing Facility:**

The average number of days paid for SFY 2020 for all nursing facilities that need to have a prospective rate set was multiplied by 5; this assumes that 5 nursing facilities will have prospective rates set each year.

Hospice:

The SFY 2020 paid days for nursing facilities that need to have a prospective rate set was divided by the total 2020 paid days for all nursing facilities to determine the percentage of total nursing facility days that relate to nursing facilities that need to have a prospective rate set. That percentage (0.5%) was multiplied by the total SFY 2020 hospice days to determine the estimated annual hospice days relating to nursing facilities that need to have a prospective rate set.

Non-State Government Owned Nursing Facilities (43): This proposed amendment results in an increased prospective rate for nursing facilities that need to have a prospective rate set so there are no costs of compliance to Medicaid enrolled non-state government owned nursing facilities.

Hospice: Hospice providers may be impacted by this regulation because reimbursement for hospice services provided in nursing facilities is based on the nursing facility per diem rate. MHD conducted a fiscal analysis using 13 CSR 70-50.010 to estimate the impact to hospice. Please note this is an estimated analysis with the assumption of hospice appropriation authority.

Hospice Nursing Home Room and Board services are reimbursed 95% of the nursing facility per diem rate. The estimated increase in the prospective rate for nursing facilities that need to have a prospective rate set is \$44.53 which results in an estimated increase to hospice reimbursement rates relating to those nursing facilities resulting from this amendment of \$42.00 ($\$44.53 \times 95\%$).

Impact on Home and Community Based Services (HCBS):

HCBS provided on a monthly basis are limited to a percentage of the average monthly nursing facility payment, referred to as the HCBS cost cap. The HCBS cost cap for a given SFY is based on the average monthly nursing facility payments for the 12 months ending in April of the previous SFY. Therefore, the estimated increase in the per diem rate for nursing facilities that need to have a prospective rate set of \$44.53 will not impact the HCBS cost cap for SFY 2021 but may result in a slight increase in the HCBS cost cap beginning in SFY 2022. This may increase the amount of services, and the payments, for MO HealthNet participants that are at the cap.

**Title 13—DEPARTMENT OF SOCIAL SERVICES
Division 70—MO HealthNet Division
Chapter 25—Physician Program**

PROPOSED AMENDMENT

13 CSR 70-25.110 Payment for Early Periodic Screening, Diagnostic, and Treatment Program Services. The department is amending sections (1), (3), (4), (5), and (6), is removing sections (2) and (7), and renumbering as necessary.

PURPOSE: This amendment updates language and removes an obsolete statutory reference.

PUBLISHER'S NOTE: The secretary of state has determined that the publication of the entire text of the material which is incorporated by reference as a portion of this rule would be unduly cumbersome or expensive. This material as incorporated by reference in this rule shall be maintained by the agency at its headquarters and shall be made available to the public for inspection and copying at no more than the actual cost of reproduction. This note applies only to the reference material. The entire text of the rule is printed here.

(1) The Department of Social Services shall administer an Early Periodic Screening, Diagnostic, and Treatment (EPSDT) Program. In Missouri the EPSDT Program is administered as the Healthy Children and Youth (HCY) Program. The EPSDT/HCY Program provides *[for thorough physical and dental examinations]* **comprehensive and preventive health care services** for MO HealthNet eligible persons under *[the age of]* twenty one (21) years *[and for all persons under the age of twenty-one (21) years]* **of age including those** in the legal custody of the Department of Social Services or any division of the department at no cost to the child or to the parents or guardians if they accept the offer of this service. *[Funding for EPSDT services is through Title XIX of the federal Social Security Act (Medicaid) and Missouri.]* **The services covered and not covered, the limitations under which services are covered, and the maximum allowable fees for all covered services shall be determined by the division and shall be included in the MO HealthNet provider manuals, which are incorporated by reference and made a part of this rule as published by the Department of Social Services, MO HealthNet Division, 615 Howerton Court, Jefferson City, MO 65109, at its website <http://manuals.momed.com/manuals>, November 25, 2020. This rule does not incorporate any subsequent amendments or additions.**

[(2) EPSDT services are available to participants under the age of twenty-one (21) years who are eligible to receive medical assistance benefits under the provisions of sections 208.151, 208.162, and 208.204, RSMo.]

[(3)](2) The EPSDT Program shall make a general physical examination available to eligible participants *[under the age of twenty-one (21) years]*. The components of the general physical examination shall include a **comprehensive health and developmental history, a/n/ comprehensive** unclothed physical examination, appropriate **immunizations**, laboratory tests, *[immunizations, a developmental/mental health screen,]* **health education**, a vision screen, *[and]* a dental screen, and **hearing services**. These screens will be made available at the frequency recommended by *[the]* **Bright Futures/American Academy of Pediatrics and the American Academy of Pediatric Dentists.**

(A) Interperiodic screenings outside the recommendations of *[the]* **Bright Futures/American Academy of Pediatrics or the American Academy of Pediatric Dentists** are available when medically indicated.

(B) Partial screens for vision, hearing, dental, unclothed physical

examination, an interval history, *[and]* appropriate laboratory tests *[and]*, immunizations, developmental/mental health assessment, and anticipatory guidance shall be reimbursable services.

[(4)](3) Providers of the screening services must be enrolled MO HealthNet providers **operating within their legal scope of practice.**

[(5)](4) [Reimbursement for medically necessary treatment services identified as a result of a screening shall be provided by the Department of Social Services, MO HealthNet Division, if the services are available under Section 1905(a) of the Social Security Act. These services shall be limited by medical necessity. Experimental services are not covered.] **The MO HealthNet program will provide reimbursement for prescribed, medically necessary treatment identified as a result of the screening if the treatment is a covered service under Section 1905(a) of the Social Security Act. "Medically necessary" is defined as service(s) furnished or proposed to be furnished that is (are) reasonable and medically necessary for the prevention, diagnosis, or treatment of a physical or mental illness or injury; to achieve age appropriate growth and development; to minimize the progression of a disability; or to attain, maintain, or regain functional capacity; in accordance with accepted standards of practice in the medical community of the area in which the physical or mental health services are rendered; and service(s) could not have been omitted without adversely affecting the participant's condition or the quality of medical care rendered; and the service(s) is (are) furnished in the most appropriate setting. Services must be sufficient in amount, duration, and scope to reasonably achieve their purpose and may only be limited by medical necessity. Any service authorized must be effective in addressing the participant's need. Services may *[be]* **require** prior *authoriz[ed]ation* to assure medical necessity.**

[(6)](5) Medical and dental services *[which]* **that** Section 1905(a) of the Social Security Act permits to be covered under MO HealthNet and *[which]* **that** are **medically** necessary to treat or ameliorate defects, physical, and mental illness, or conditions identified by an EPSDT screen are covered regardless of whether *[or not]* the Medicaid state plan covers the services *[are covered under the Medicaid state plan]*. Services provided under this program will be sufficient in amount, duration, and scope to reasonably achieve their purpose. *[The services are limited due to medical necessity. Services identified as needed as the result of a screening which are beyond the scope of the Medicaid state plan require a]* **Services beyond the scope of the Medicaid state plan that a screening identifies as needed require a plan of care. The plan of care must identify[ing] the treatment needs of the child in regard to amount, scope, and prognosis. [Prior authorization of services may be required for these service needs and for services of extended duration unless otherwise noted in the benefits and limitations section of the provider manual of the appropriate provider of the service. Examples of services beyond the scope of the state Medicaid Plan are—orthodontic services; physical, occupational, and speech therapy evaluations and services; psychology and counseling services; private duty nursing services; and medical supplies.]** **Certain services and equipment require approval prior to provision of the service as a condition of reimbursement. Prior authorization is used to promote the most effective and appropriate use of available services and to determine the medical necessity of the service.** Services may be made available in an inpatient, outpatient office, or home setting depending upon the medical condition of the participant and availability of services.

[(7) Services must be provided by enrolled MO HealthNet providers operating within their legal scope of practice.]

AUTHORITY: section[s] 208.152, *RSMo Supp. 2020*, and sections 208.153, [and] 208.201, [*RSMo Supp. 2007*] and 660.017, *RSMo 2016*. This rule was previously filed as 13 CSR 40 81.015. Original rule filed Jan. 15, 1985, effective April 11, 1985. Amended: Filed Jan. 13, 1992, effective Sept. 6, 1992. Amended: Filed Aug. 15, 2008, effective Feb. 28, 2009. Amended: Filed Feb. 26, 2021.

PUBLIC COST: This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with Department of Social Services, MO HealthNet Division, PO Box 6500, Jefferson City, MO 65102. To be considered comments must be received within thirty (30) days after publication of this notice in the *Missouri Register*. No public hearing is scheduled.

**Title 13—DEPARTMENT OF SOCIAL SERVICES
Division 70—MO HealthNet Division
Chapter 90—Home Health Program**

PROPOSED AMENDMENT

13 CSR 70-90.010 Home Health-Care Services. The MO HealthNet Division is adding subsection (2)(C), updating sections (7) and (8), and adding section (9).

PURPOSE: This amendment allows the adult expansion group described in Article IV Section 36(c) of the *Missouri Constitution* to receive habilitative services through the Missouri Home Health Program, and updates the incorporated by reference dates.

(2) Home health services include the following services and items:

(C) Physical, occupational, or speech therapy when the following conditions are met:

1. The participant is age nineteen (19) or over and under age sixty-five (65) and enrolled under the Medicaid eligibility criteria for the adult expansion group as described in Article IV Section 36(c) of the *Missouri Constitution*; and

2. Physical, occupational, or speech therapy is a habilitative service that will help the individual keep, learn, or improve skills and functioning for daily living, in accordance with limitations set forth in section (9) of this rule;

[(C)](D) Intermittent home health aide; and

[(D)](E) Supplies identified as specific and necessary to the delivery of a participant's nursing care and prescribed in the plan of care. Supplies are health care related items that are consumable or disposable, or cannot withstand repeated use by more than one (1) individual, that are required to address an individual medical disability, illness, or injury. Medical supplies are classified as

1. Routine medical supplies used in small quantities for patients during the usual course of most home visits; or

2. Non routine medical supplies needed to treat a patient's specific illness or injury in accordance with the physician's plan of care and meet further conditions discussed in more detail below.

(7) To be reimbursed by MO HealthNet, all home health services and supplies must be provided in accordance with a written plan of care authorized by the participant's physician. The criteria for the development of the written plan of care and changes to the written plan of care through interim order(s) are described in the *MO HealthNet Division Home Health Provider Manual*. The *MO HealthNet Division Home Health Provider Manual* which is incorporated

by reference and made a part of this rule as published by the Department of Social Services, MO HealthNet Division, 615 Howerton Court, Jefferson City, MO 65109, at its website at <http://manuals.momed.com/manuals/>, [December 10, 2019] November 24, 2020. This rule does not incorporate any subsequent amendments or additions. Plans of care and interim order(s) are to be maintained in the client record.

(8) Skilled therapy services as described in subsection (2)(B) will be considered reasonable and necessary for treatment if the conditions of paragraphs (8)(A)1. 4. are met.

(9) The combination of physical, occupational, and speech therapy as described in subsection (2)(C) of this rule is limited to a total of twenty (20) visits inclusive of services from all MO HealthNet providers per year.

AUTHORITY: sections 208.153, 208.201, and 660.017, *RSMo 2016*, and section 208.152, *RSMo Supp. [2019] 2020*. This rule was previously filed as 13 CSR 40 81.056. Original rule filed April 14, 1982, effective July 11, 1982. For intervening history, please consult the *Code of State Regulations*. Emergency amendment filed Feb. 26, 2021, effective July 1, 2021, expires Feb. 24, 2022. Amended: Filed Feb. 26, 2021.

PUBLIC COST: This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with the Department of Social Services, Legal Services Division Rulemaking, PO Box 1527, Jefferson City, MO 65102 1527, or by email to Rules.Comment@dss.mo.gov. To be considered, comments must be received within thirty (30) days after publication of this notice in the *Missouri Register*. No public hearing is scheduled.

**Title 17—BOARDS OF POLICE COMMISSIONERS
Division 10—Kansas City Board of Police Commissioners
Chapter 2—Private Security**

PROPOSED RESCISSION

17 CSR 10-2.010 Regulation and Licensing In General. This rule established procedures, testing requirements and license fees for those persons required to be licensed.

PURPOSE: Board wishes to rescind this rule and adopt a new rule in its place to clarify the language in the rule and insure compliance with the applicable law.

AUTHORITY: section 84.720, *RSMo 2000*. Original rule filed Dec. 5, 1979, effective March 17, 1980. For intervening history, please consult the *Code of State Regulations*. Rescinded: Filed March 1, 2021.

PUBLIC COST: This proposed rescission will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed rescission will not cost private entities more than five hundred dollars (\$500) in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in

support of or in opposition to this proposed rescission with the Board of Police Commissioners of Kansas City, Missouri, 1125 Locust St., Kansas City, Missouri 64106. To be considered, comments must be received within thirty (30) days after publication of this notice in the Missouri Register. No public hearing is scheduled.

Title 17—BOARDS OF POLICE COMMISSIONERS
Division 10—Kansas City Board of Police Commissioners
Chapter 2—Private Security

PROPOSED RULE

17 CSR 10-2.010 Regulation and Licensing In General

PURPOSE: Under the provisions of sections 84.420 and 84.720, RSMo, the Board of Police Commissioners of Kansas City, Missouri (board) has the authority and duty to regulate and license all private security and proprietary private investigative personnel, serving or acting as such within Kansas City, Missouri (city). This rule establishes procedures, testing requirements, and license fees for those persons required to be licensed.

(1) Any corporation, partnership, or other entity that provides private security services and proprietary private investigative services is fully responsible for the acts and omissions of its employees acting in the course and scope of their duties. Training is the responsibility of the entity hiring such employees. The board is a licensing agency, not an employer, and assumes no responsibilities for the acts or omissions of any entity or individual providing such services. The board's functions are limited to licensing and regulating any entity or individual who perform such services. The board shall have the power and duty to enforce the provisions of these rules and upon complaint of any person or on its own initiative to investigate violations, or to investigate the business, business practices, or business method of any person, firm, company, partnership, corporation, or political subdivision applying for or holding a license for providing private security services and proprietary private investigative services if, in the opinion of board, the investigation is warranted. Each entity or individual applicant shall be obligated to supply the information, books, papers, or records as reasonably may be required concerning proposed business practices or methods. Failure to comply with any reasonable request of the board shall be grounds for denying an application for a license or for revoking, suspending, or failing to renew a license issued under these rules. Those licensed must maintain the records that the board requires which include, but are not limited to, records of contract accounts, employment records, time records, and assignment records along with records required to be kept by federal and state law.

(2) Any license granted under section 84.720, RSMo, shall constitute a privilege to do business and shall not invest the one licensed with any contractual interest, inherent right, or property interest.

(3) Those licensed to perform private security services or proprietary private investigative services have police powers limited to the property which they have been lawfully assigned to protect. With the exception of those licensed as airport police and park rangers, whose authority is set out in 17 CSR 10 2.030(1)(A)5 6., those licensed under these provisions have no authority to enforce ordinances, statutes, or rules on the public streets of city or at any location other than on the property they have been assigned to protect.

(4) Private Officers Licensing Unit (POLU) is responsible for investigating, processing, licensing, inspecting, and the regulation of all persons working or acting as licensed private security or proprietary private investigators. The POLU is further responsible for issuing and transferring all such licenses, for reinstatements, and for period

ic inspection of license holders.

(5) Private security and proprietary private investigator licenses are required for each of the following:

(A) Any individual providing private security services or proprietary private investigative services within the city whether for a licensed private security business or otherwise (collectively a security officer);

(B) Any firm, company, partnership, or corporation that provides private security services or proprietary private investigative services (collectively a security firm);

(C) Any direct supervisor of a security officer; and

(D) Any political subdivision, sole proprietorship, firm, company, partnership, or corporation that employs personnel to provide private security services or proprietary private investigative services.

(6) The board's licensing requirements do not apply to persons acting as bouncers, process servers, bondsmen, surety recovery agents (bounty hunters), or investigators for attorneys unless acting in a private security capacity as defined in these rules.

(7) No license is required for any peace officer authorized to exercise police powers in the city who holds a valid Peace Officer Standards and Training (POST) certificate.

(8) The board shall perform its functions under statute and under these regulations through the POLU of the Kansas City, Missouri Police Department (department). All private officers and proprietary private investigators are subject to inspection by employees of the board and members of the department. The purpose of such inspections is to ensure that the licensee is in compliance with the provisions of this rule. Failure to cooperate with an employee of the board or member of the department may result in penalties being assessed as set out in 17 CSR 10 2.060(9).

AUTHORITY: section 84.720, RSMo 2016. Original rule filed Dec. 5, 1979, effective March 17, 1980. For intervening history, please consult the Code of State Regulations. Rescinded and readopted: Filed March 1, 2021.

PUBLIC COST: This proposed rule will cost state agencies or political subdivisions ten thousand two hundred forty dollars (\$10,240) in the aggregate.

PRIVATE COST: This proposed rule will cost private entities four hundred ninety four thousand seven hundred fifteen dollars (\$494,715) in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed rule with the Board of Police Commissioners of Kansas City, Missouri, 1125 Locust St., Kansas City, Missouri 64106. To be considered, comments must be received within thirty (30) days after publication of this notice in the Missouri Register. No public hearing is scheduled.

**FISCAL NOTE
PUBLIC COST**

- I. Department Title: 17**
Division Title: 10
Chapter Title: 2

| | |
|------------------------------|---|
| Rule Number and Name: | 17 CSR 10-2.010 – Regulation and Licensing in General |
| Type of Rulemaking: | Proposed Rulemaking |

II. SUMMARY OF FISCAL IMPACT

| Affected Agency or Political Subdivision | Estimated Cost of Compliance in the Aggregate |
|--|---|
| City of Kansas City, Missouri | \$4485.00 |
| Jackson County, Missouri Family Court | \$560.00 |
| Kansas City International Airport Police | \$4365.00 |
| Housing Authority of Kansas City, Missouri | \$830.00 |
| Total | \$10,240.00 |

III. WORKSHEET

The City of Kansas City, Missouri licenses forty (40) armed security officers and nine (9) unarmed security officers. Jackson County, Missouri Family Court licenses four (4) unarmed officers. The Kansas City International Airport Police currently licenses seventeen (17) armed officers and thirty-nine (39) unarmed officers. The Housing Authority of Kansas City, Missouri currently licenses three (3) armed officers and four (4) unarmed officers. The rates for new armed licenses will be one hundred forty-five dollars (\$145.00) per year. The rate for new unarmed licenses will be ninety dollars (\$90.00) per year.

The yearly renewal fees for armed licenses will be ninety dollars (\$90.00) per year. The yearly renewal fees for unarmed licensees will be sixty-five dollars (\$65.00) per year. The number of current licensees in each category was multiplied by the corresponding increases in renewal fees charged in order to assess the fiscal impact to the current licensees.

The City of Kansas City, Missouri, the Jackson County, Missouri Family Court, the Kansas City International Airport Police and the Housing Authority of Kansas City, Missouri all pay a company fee in the amount of three hundred dollars (\$300.00) per year.

The City of Kansas City, Missouri will incur costs in the amount of ninety dollars (\$90.00) per renewal of armed licenses (40) for a cost of three thousand six hundred dollars (\$3600.00) yearly. The City of Kansas City, Missouri will incur costs of sixty-five dollars (\$65.00) per renewal of each of its unarmed licenses (9) for a cost of five hundred eighty-five dollars (\$585.00) yearly. A company fee in the amount of three hundred dollars (\$300.00) is paid by the City of Kansas City, Missouri. The total fiscal impact to the City of Kansas City, Missouri is four thousand one hundred eighty-five dollars (\$4485.00) per year. A range fee is assessed to the City of Kansas City, Missouri's armed licensees in the amount of eighty-five dollars (\$85.00) per licensee. This fee is discussed in 17 CSR 10-2.040 and 17 CSR 10-2.050 and the accompanying public and private fiscal notes.

Jackson County, Missouri Family Court will incur costs of sixty-five dollars (\$65.00) per renewal of each of its unarmed licenses (4) for a cost of two hundred sixty dollars (\$260.00) yearly. A company fee in the amount of three hundred dollars (\$300.00) is paid by the Jackson County, Missouri Family Court. The total fiscal impact to Jackson County, Missouri is two hundred sixty dollars (\$260.00) per year.

The Kansas City International Airport Police will incur costs in the amount of ninety dollars (\$90.00) per renewal of each of its armed licenses (17) for a cost of one thousand five hundred thirty dollars (\$1530.00) yearly. The Kansas City International Airport Police will incur costs in the amount of sixty-five dollars (\$65.00) per renewal of each of its unarmed licenses (39) for a cost of two thousand five hundred thirty-five dollars (\$2535.00) yearly. The total fiscal impact to the Kansas City International Airport Police for renewals is four thousand sixty-five dollars (\$4065.00) per year. The Kansas City International Airport Police also pay a company fee of three hundred dollars (\$300.00) per year under the Proposed Rules for a total fiscal impact of four thousand three hundred sixty-five dollars (\$4365.00) per year. A range fee is assessed to the Kansas City International Airport Police's armed licensees in the amount of eighty-five dollars (\$85.00) per licensee. This fee is discussed in 17 CSR 10-2.040 and 17 CSR 10-2.050 and the accompanying public and private fiscal notes.

The Housing Authority of Kansas City, Missouri will incur costs in the amount of ninety dollars (\$90.00) per renewal of each of its armed licenses (3) for a cost of two hundred seventy dollars (\$270.00) yearly. The Housing Authority of Kansas City, Missouri will incur costs in the amount of sixty-five dollars (\$65.00) per renewal of each of its unarmed licenses (4) for a cost of two hundred sixty dollars (\$260.00) yearly. The Housing Authority of Kansas City, Missouri also pays a company fee of three hundred dollars (\$300.00) per year under the Proposed Rules for a total fiscal impact of eight hundred thirty dollars (\$830.00) per year. A range fee is assessed to the Housing Authority of Kansas City, Missouri's armed licensees in the amount of eighty-five dollars (\$85.00) per licensee. This fee is discussed in 17 CSR 10-2.040 and 17 CSR 10-2.050 and the accompanying public and private fiscal notes.

IV. ASSUMPTIONS

This rule requires that those providing security services be licensed as either armed or unarmed security officers. Other fees assessed are provided for in other sections of this chapter and the fiscal impact of those fees will be outlined in the fiscal notes prepared for those sections. These figures assume that the agencies will renew the licenses of all those currently licensed and will not switch the classifications of the persons they are licensing,

i.e., from unarmed to armed or vice versa. These figures also assume that the agencies pay the license fees for those they license, rather than the individual paying the fees themselves. These cost calculations take into account only yearly renewal fees for existing licensees. If the entities license additional persons, additional costs for new licenses will be incurred in the amounts set out above for new licenses and for the State/NCIC/FBI fingerprinting fee discussed in 17 CSR 2.040.

**FISCAL NOTE
PRIVATE COST**

**I. Department Title: 17
Division Title: 10
Chapter Title: 2**

| | |
|-------------------------------|---|
| Rule Number and Title: | 17 CSR 10-2.010 – Regulation and Licensing in General |
| Type of Rulemaking: | Proposed Rule |

II. SUMMARY OF FISCAL IMPACT

| Estimate of the number of entities by class which would likely be affected by the adoption of the rule: | Classification by types of the business entities which would likely be affected: | Estimate in the aggregate as to the cost of compliance with the rule by the affected entities: |
|---|--|--|
| 968 | Armed Licensees | \$87,120.00 |
| 436 ¹ | New Armed Licenses | \$63,220.00 |
| 1435 | Unarmed licensees | \$93,275.00 |
| 2035 ² | New Unarmed Licenses | \$183,150.00 |
| 169 ³ | Firms, companies, partnerships and corporations ⁴ | \$50,700.00 |
| 50 | Administrative Licenses ⁵ | \$7250.00 |

¹ This is Board's estimate of how many new persons wanting armed licenses will apply in the next year. This estimate will be used throughout these Fiscal Notes.

² This is Board's estimate of how many new persons wanting unarmed licenses will apply in the next year. This estimate will be used throughout these Fiscal Notes.

³ This is the approximate number of companies currently licensed.

⁴ Throughout these fiscal notes, the firms, companies, partnerships and corporations which hold licenses are referred to as "companies" and the licenses they hold as "company licenses." Board recognizes that the "companies" are actually organized in various forms under the law. The references to "company" and "company license" are made for ease of reference.

⁵ This is a new fee. This is Board's estimate of how many licenses will be issued per year.

| | | |
|-----------------------|-----------------------------|---------------------|
| 25⁶ | New Company Licenses | \$10,000.00 |
| Total | | \$494,715.00 |

III. WORKSHEET

The fee for a new armed license is one hundred forty-five dollars (\$145.00) per year. The fee for new unarmed licenses is ninety dollars (\$90.00) per year. The yearly renewal fee for armed licenses is ninety dollars (\$90.00) per year. The yearly renewal fee for unarmed licensees is sixty-five dollars (\$65.00).

In order to assess the fiscal impact to the individuals acquiring new armed licenses, an estimate of the number of new armed licensees, four hundred thirty-six (436) must be multiplied by the fee amount (\$145.00) for armed licenses for a total fiscal impact of \$63,220.00. In order to determine the fiscal impact to individuals acquiring new unarmed licenses, an estimate of the number of new unarmed licensees, 2035, must be multiplied by the fee amount (\$90.00) for unarmed licenses for a total fiscal impact of \$183,150.00.

Currently approximately 968 persons hold armed licenses. With the renewal fee of ninety dollars (\$90.00), the fiscal impact to armed licensees is \$87,120.00. Currently approximately 1435 persons hold unarmed licenses. With the renewal fee of sixty-five dollars (\$65.00), the total fiscal impact to unarmed licensees is \$93,275.00

All firms, companies, partnerships and corporations licensed will pay a company renewal fee in the amount of three hundred dollars (\$300.00) per year. The number of companies holding licenses (169) was multiplied by the company fee (\$300.00) in order to assess the fiscal impact to the current companies holding licenses in the amount of \$50,700.00. Approximately 25 new companies will obtain new licenses during the year. Each will pay the new company license fee of \$400.00 for a total fiscal impact of \$10,000.00.

Board⁷ is instituting an administrative license to be paid by each person supervising a security officer licensee (except for one person companies or anyone who holds another license under these rules). Board estimates that there will be fifty (50) administrative licenses issued at a cost of one hundred forty-five dollars (\$145.00) per license for a total fiscal impact of \$7250.00.

Board has created an optional two-year license and two-year renewal fee for Class A unarmed licensees. Board is unable to predict how many licensees will decide to take advantage of the cost savings offered (\$50.00 savings for a new unarmed license and a \$30 saving for renewals) by these new options. If the company is paying for the license

⁶ This is the number of new companies which Board anticipates will apply for a license in the next year. This estimate will be used throughout these fiscal notes.

⁷ Throughout these fiscal notes, the Board of Police Commissioners of Kansas City, Missouri will be referred to as "Board."

instead of the individual, it is not believed they will not avail themselves of the savings involved due to the high turnover in the ranks of unarmed security officers.

IV. ASSUMPTIONS

These figures make assumptions about the number of new armed, unarmed and company licenses that will be issued each year. They also assume that every individual currently licensed will renew their licenses and that companies will not increase the number of security officers which they are currently licensing nor switch the classifications of the persons they are licensing, i.e., from armed to unarmed or vice versa. These figures also assume that companies pay the license fees for those they license, rather than the individual licensees paying themselves. In fact, Board is aware that some companies pay a portion of the licensing fees for their employees and the employees pay the balance. Board keeps no record of how the various companies operate and how they pay their fees. Therefore the actual cost to these companies cannot be assessed, and it must be assumed that for purposes of this fiscal note that the companies pay the entire fee for the individuals holding licenses with the company.

For a discussion of the full fiscal impact of requiring individuals and companies to be licensed, see Private Entity Fiscal Note for 17 CSR 10-2.040.

Title 17—BOARDS OF POLICE COMMISSIONERS
Division 10—Kansas City Board of Police Commissioners
Chapter 2—Private Security

PROPOSED RESCISSION

17 CSR 10-2.020 Application for a License. This rule, in order to promote and protect the public welfare, required board to investigate the background, qualifications and ability of all applicants and required that applicants use application forms provided by board.

PURPOSE: Board wishes to rescind this rule and adopt a new rule in its place to clarify the language in the rule and insure compliance with the applicable law.

AUTHORITY: section 84.720, RSMo 2000. Original rule filed Dec. 5, 1979, effective March 17, 1980. For intervening history, please consult the Code of State Regulations. Rescinded: Filed March 1, 2021.

PUBLIC COST: This proposed rescission will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed rescission will not cost private entities more than five hundred dollars (\$500) in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed rescission with the Board of Police Commissioners of Kansas City, Missouri, 1125 Locust St., Kansas City, Missouri 64106. To be considered, comments must be received within thirty (30) days after publication of this notice in the Missouri Register. No public hearing is scheduled.

Title 17—BOARDS OF POLICE COMMISSIONERS
Division 10—Kansas City Board of Police Commissioners
Chapter 2—Private Security

PROPOSED RULE

17 CSR 10-2.020 Application for a License

PURPOSE: In order to promote and protect the public welfare, the Board of Police Commissioners (board) shall license and regulate those persons wishing to provide private security services or proprietary private investigative services. Application forms provided by the board shall be used by all applicants. All forms may be downloaded at www.kcpd.org.

(1) All individual applicants are required to complete an "Employer's Application for Employment of Private Security/Proprietary Private Investigator 'Intent to Hire Form'" (Form 5409 P.D.). This form must be completed any time a license is applied for, renewed, transferred, or upgraded. All firms, companies, partnerships, corporation, sole proprietorships, and political subdivisions to be licensed under the provisions of section (5) below shall complete "Application for Company License" (Form 5486 P.D.)

(2) The board shall conduct a criminal history records check of each applicant and may conduct investigations as provided by section 84.720, RSMo. The applicant must pay the fee for the criminal history records check and fingerprinting at the time of application and upon each annual renewal.

(3) Each applicant shall submit to photographing and fingerprinting and shall provide proof of identity by submitting with the application a photo identification card, original Social Security card, proof of

citizenship, permanent resident card, Military DD214, most recent name change documentation from a court of competent jurisdiction, or other equivalent identification. If an applicant provides proof of identity by submitting permanent resident card, the applicant must provide sufficient proof that they have established a *bona fide* residence in the United States of America. If an applicant requests a replacement license because of a name change, the applicant must supply to the Private Officers Licensing Unit (POLU) the appropriate name change documentation from a court of competent jurisdiction.

(4) Each applicant shall provide any additional information requested by the board to conduct its investigation and shall comply with all requests of the board in the conduct of its investigation for a license under these rules, including without limitation, execution of a release allowing the board to review personnel records from prior employers.

(5) Firms, companies, partnerships, corporations, sole proprietorships, or political subdivisions engaging in the business of providing private security services or proprietary private investigative services or firms, companies, partnerships, corporations, sole proprietorships, or political subdivisions that employ other individuals to perform private security services or proprietary private investigative services shall be licensed in addition to any individual license required under these rules. An applicant wishing to obtain a company license for the sole purpose of employing proprietary private investigators must meet the guidelines outlined in 17 CSR 10 2.050(1)(C). Any license granted under this section shall be designated a "company license." All company names must be approved by POLU. All licensed companies are required to annually pay a company fee by January 31 of each year and are required to comply with the terms of this regulation and all federal, state, and local laws. Failure to pay such fee will result in the suspension of the company license. In the absence of the annual company license, all licenses granted to employees or agents of that company are automatically suspended.

(6) Before being licensed under these rules, company applicants shall file with the board a certificate of liability insurance in the amount of one (1) million dollars or the equivalent, naming the board as an additional insured and certificate holder and protecting the board from liability judgments, suits, and claims, including, but not limited to, suits for bodily injury, personal injury, including false arrest, libel, slander, invasion of privacy, and property damage arising out of the licensing of individuals and entities providing private security services or proprietary private investigative services. The insurance must be written by a company approved by the Missouri superintendent of insurance and approved by the board with respect to its form, manner of execution, and sufficiency, provided further however, before a license is issued to a nonresident of Missouri, the applicant must file with the Missouri Secretary of State a written consent for jurisdiction of the courts of Missouri, and any case(s) arising from any contract for performance of private security services or proprietary private investigative services made within the city are to be performed wholly or in part, in the city or in any way connected with the business within the city or occurring in connection with the business of the one licensed within the city. Any company licensed must provide the insurance specified and cover all employees; provided however, that in the event a suit is filed or claim is made involving the board, the company shall immediately notify the board at which time the licensee may be required to furnish additional insurance. Failure of a licensee to maintain insurance is grounds for revocation. In the absence of adequate insurance, all licenses granted to employees or agents of that company are automatically suspended. Equivalent shall mean a bond in like amount or a certificate of self insurance by a company with audited net worth of five (5) million dollars. Each certificate of insurance must stipulate coverage for armed/unarmed personnel as appropriate. The naming of the board

as an additional insured in no way constitutes or should be construed as a waiver or limitation of the board's rights or defenses with regard to sovereign immunity, governmental immunity, official immunities, and/or any of the protections provided under federal and state constitutions or by law.

(7) When, in the opinion of the board, an applicant has fulfilled the requirements of these rules, the board may issue the applicant a license to provide private security services or proprietary private investigative services.

(8) All those licensed under these rules shall immediately notify the board in writing of any change of address or employment; a company shall notify the board in writing of the termination of employment of any person listed on the company application or any licensed employee and notify the board as to whether or not the individual's license has been returned to the company.

(9) Licenses, issued under these rules, are not transferable or assignable. When any person's license has been terminated, suspended, revoked, or has expired, the license shall be mailed or delivered to the POLU. If the license is lost or stolen, the license holder shall immediately notify POLU and provide a lost card affidavit signed by a company representative. An additional fee and a new Form 5409 P.D. are required. If the license has been stolen, a police report listing the license may be accepted in lieu of the additional fee. Any person licensed under these rules may hold a maximum of three (3) licenses.

(10) All those licensed will be required to furnish a photograph and description of all vehicles to be used in the course of their business, including state license numbers, vehicle identification numbers, and provide proof of adequate automobile liability insurance coverage in accordance with the requirements established by the state of Missouri. All vehicles must clearly state that the vehicle is a security vehicle and display the company name. Use of any sign, signal, or other device contrary to the ordinance of the city, or which is similar in appearance to those used by the department is prohibited and may be grounds for denial, suspension, or revocation of a license. No private security company, proprietary private investigative company, or individual is authorized to operate any emergency vehicle as that term is defined by state law or city ordinance, other than Airport Police and Park Rangers. No vehicle displaying the word "police" shall be approved for use except as set out in 17 CSR 10 2.030(1)(A)5 6.

*AUTHORITY: section 84.720, RSMo 2016. Original rule filed Dec. 5, 1979, effective March 17, 1980. For intervening history, please consult the **Code of State Regulations**. Rescinded and readopted: Filed March 1, 2021.*

PUBLIC COST: This proposed rule will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed rule will cost private entities nine hundred seventy thousand dollars (\$970,000) in the aggregate.

*NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed rule with the Board of Police Commissioners of Kansas City, Missouri, 1125 Locust St., Kansas City, Missouri 64106. To be considered, comments must be received within thirty (30) days after publication of this notice in the **Missouri Register**. No public hearing is scheduled.*

FISCAL NOTE PRIVATE COST

- I. Department Title: 17**
Division Title: 10
Chapter Title: 2

| | |
|-------------------------------|---|
| Rule Number and Title: | 17 CSR 10-2.020 – Application for a License |
| Type of Rulemaking: | Proposed Rule |

II. SUMMARY OF FISCAL IMPACT

| Estimate of the number of entities by class which would likely be affected by the adoption of the rule: | Classification by types of the business entities which would likely be affected: | Estimate in the aggregate as to the cost of compliance with the rule by the affected entities: |
|---|--|--|
| 169¹ | Company Licenses | \$845,000.00 |
| 25² | New Company Licenses | \$125,000.00 |
| Total | | \$970,000.00 |

III. WORKSHEET

There are currently approximately one hundred and sixty-nine (169) companies licensed by Board. Each company is required to carry a certificate of liability insurance in the amount of one million dollars (\$1,000,000.00) or the equivalent naming Board as an additional insured and certificate holder. The equivalent means a bond in like amount or a self-insurance certificate if the company has an audited net worth of five million dollars (\$5,000,000.00). Using the figure of five thousand dollars (\$5,000.00) per year per company, the resulting fiscal impact to the 169 companies currently holding licenses would be eight hundred forty-five thousand dollars (\$845,000.00). Assuming twenty-five (25) new companies apply for licenses in the next year, the resulting fiscal impact to those entities would be one hundred twenty-five thousand dollars (\$125,000.00).

IV. ASSUMPTIONS

¹ This is the approximate number of companies currently licensed.

² This is the number of new companies which Board anticipates will apply for a license in the next year.

Board is unable to exactly calculate the fiscal impact of this insurance requirement to the companies licensed. The cost of insurance varies depending on the insurance company's loss experience with the insured, the company's payroll, whether the company employs armed or unarmed security officers, the nature and location of their business and many other factors which cannot be precisely calculated by Board. Based on information available to Board, it appears that on average the insurance cost to a company, firm or corporation is approximately five thousand dollars (\$5000.00) per year. That figure was used to calculate the fiscal impact of this rule.

For a discussion of the fiscal impact of requiring private entities to purchase a company license, see Private Entity Fiscal Note for 17 CSR 10-2.010 and 17 CSR 10-2.040.

For a discussion of the fiscal impact of requiring a fingerprinting fee for new licensees to obtain a background check, see Private Entity Fiscal Note for 17 CSR 10-2.040.

Title 17—BOARDS OF POLICE COMMISSIONERS
Division 10—Kansas City Board of Police Commissioners
Chapter 2—Private Security

PROPOSED RESCISSION

17 CSR 10-2.030 Classification of Licenses. This rule established minimum qualification standards and classification of licenses related to specific private security services provided by board.

PURPOSE: Board wishes to rescind this rule and adopt a new rule in its place to clarify the language in the rule and insure compliance with the applicable law.

AUTHORITY: section 84.720, RSMo 2000. Original rule filed Dec. 5, 1979, effective March 17, 1980. For intervening history, please consult the Code of State Regulations. Rescinded: Filed March 1, 2021.

PUBLIC COST: This proposed rescission will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed rescission will not cost private entities more than five hundred dollars (\$500) in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed rescission with the Board of Police Commissioners of Kansas City, Missouri, 1125 Locust St., Kansas City, Missouri 64106. To be considered, comments must be received within thirty (30) days after publication of this notice in the Missouri Register. No public hearing is scheduled.

Title 17—BOARDS OF POLICE COMMISSIONERS
Division 10—Kansas City Board of Police Commissioners
Chapter 2—Private Security

PROPOSED RULE

17 CSR 10-2.030 Classification of Licenses

PURPOSE: This rule establishes minimum standards and classification of licenses related to specific private security services or proprietary private investigative services provided.

(1) Individual licenses to provide private security services or proprietary private investigative services granted pursuant to this chapter shall be classified as either Class A licenses or Class B licenses.

(A) Class A licensees (other than those solely seeking an Administrative License) shall have the authority to detain or apprehend suspects either committing felonies, misdemeanors, or city ordinance violations in the presence of the licensee or during the attempt to commit the same or upon probable cause to believe an offense was committed; provided, however, the authority is limited to the private property the licensee is hired to protect during the hours s/he is hired to protect said private property and is not to extend to the public streets of the city. No vehicle pursuits are allowed except as specifically authorized in 17 CSR 10 2.030(1)(A)5. Class A licenses may be further classified pursuant to the following titles, designations, and authorities:

1. Administrative Agent One who directly supervises a Security Officer;

2. Loss prevention agent One who is unarmed, nonuniformed, and is responsible to observe, investigate, apprehend, and prosecute shoplifters, fraud checks, internal thefts, and the like. This individual is employed to prevent theft by unobtrusive, alert skills;

3. Patrol agent Armed or unarmed, uniformed position delegated all the responsibility of a guard with the authority to react to

illegal action by apprehension or detention. Persons, such as bank guards and hospital security, are normally assigned to a particular designated post to protect persons and property. This individual may also be responsible for proactive, aggressive policing of the property they are hired to protect. These responsibilities include foot patrol, response to alarms, self initiated activity such as car and pedestrian checks on designated private property, investigations, apprehension or detention of suspects, and assisting in prosecution;

4. Proprietary private investigator An armed or unarmed, nonuniformed person employed exclusively and regularly by one (1) employer in connection with the affairs of that employer and where there exists an employer employee relationship, responsible for investigations which impact that employer. The qualification for this classification is set out in 17 CSR 10 2.050(1)(C);

5. Airport police Armed and uniformed position responsible for patrolling the property designated as the Kansas City International Airport and the Charles B. Wheeler Downtown Airport who are granted special permission to be known as the Kansas City International Airport Police. These officers are exempt from the provisions of 17 CSR 10 2.060(4). Airport police personnel shall be required to have a Class A license. Officers with licenses pursuant to this subclassification have the following authority, in addition to those created by the Class A license. The Class A license that has the airport police designation shall have authority to enforce city ordinance and state statute violations upon the public streets of the city, but only upon the streets within the property boundaries of the Kansas City International Airport and the Charles B. Wheeler Downtown Airport. The Class A license that has the designation unarmed, uniformed "traffic control officer" shall have the authority to control traffic and issue citations for parking violations, but only upon the streets within the property boundaries of the Kansas City International Airport and the Charles B. Wheeler Downtown Airport. This section grants no authority to engage in a vehicle pursuit on streets not within the property boundaries of the Kansas City International Airport or the Charles B. Wheeler Downtown Airport; and

6. Park Rangers Armed and uniformed position responsible for providing security for the City of Kansas City, Missouri parks and park property, which is granted special permission to be known as the park rangers. Park rangers shall be required to have a Class A license. Officers with licenses pursuant to this subclassification have the following authority, in addition to those created by the Class A license. The Class A license that has the park ranger designation shall have authority to enforce specific agreed upon city ordinance violations exclusively upon park property. This section grants no authority to engage in a vehicle pursuit on roadways that are not park property.

(B) Class B licenses shall not grant the authority for the licensees to detain or apprehend suspects. An applicant shall designate the particular subclassification listed in this subsection when applying for a Class B license. An applicant must make a separate application when applying for a Class B license designating more than one (1) subclassification of authority. The license identification issued by the Board of Police Commissioners of Kansas City, Missouri (the board) shall designate which subcategory of a Class B license has been granted.

1. Guard A guard is an unarmed, uniformed position with primary responsibilities being to watch and report on/or in a specific premises or designated area, to escort or guide, to control crowds, to give directions, to monitor camera systems, to control access, and to offer assistance for the safety of others. The guard has no authority to detain or apprehend a person suspected of committing a crime.

2. Armed courier An armed, uniformed position primarily responsible for the protection and transport of money and other valuables from one (1) designated area to another. This licensee has the authority to conduct private security services on the public streets of the city, but this authority is limited to protecting property from activities which would impact the property protected. The courier must meet the qualifications relating to authority to carry a firearm, as set out in this chapter.

3. Proprietary private investigator An armed or unarmed, nonuniformed person employed exclusively and regularly by one (1) employer in connection with the affairs of that employer and where there exists an employer employee relationship, responsible for investigations which impact that employer. The qualification for this classification is set out in 17 CSR 10 2.050(1)(C).

AUTHORITY: section 84.720, RSMo 2016. Original rule filed Dec. 5, 1979, effective March 17, 1980. For intervening history, please consult the *Code of State Regulations*. Rescinded and readopted: Filed March 1, 2021.

PUBLIC COST: This proposed rule will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed rule will not cost private entities more than five hundred dollars (\$500) in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed rule with the Board of Police Commissioners of Kansas City, Missouri, 1125 Locust St., Kansas City, Missouri 64106. To be considered, comments must be received within thirty (30) days after publication of this notice in the *Missouri Register*. No public hearing is scheduled.

Title 17—BOARDS OF POLICE COMMISSIONERS
Division 10—Kansas City Board of Police Commissioners
Chapter 2—Private Security

PROPOSED RESCISSION

17 CSR 10-2.040 Application Forms and Licensing Fees. This rule established a schedule of licensing fees and provided a list of approved forms used by the board to administer its responsibilities in the area of regulation and licensing of private security personnel.

PURPOSE: Board wishes to rescind this rule and adopt a new rule in its place to clarify the language in the rule and insure compliance with the applicable law.

AUTHORITY: section 84.720, RSMo 2000. Original rule filed Dec. 5, 1979, effective March 17, 1980. For intervening history, please consult the *Code of State Regulations*. Rescinded: Filed March 1, 2021.

PUBLIC COST: This proposed rescission will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed rescission will not cost private entities more than five hundred dollars (\$500) in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed rescission with the Board of Police Commissioners of Kansas City, Missouri, 1125 Locust St., Kansas City, Missouri 64106. To be considered, comments must be received within thirty (30) days after publication of this notice in the *Missouri Register*. No public hearing is scheduled.

Title 17—BOARDS OF POLICE COMMISSIONERS
Division 10—Kansas City Board of Police Commissioners
Chapter 2—Private Security

PROPOSED RULE

17 CSR 10-2.040 Application Forms and Licensing Fees

PURPOSE: The Board of Police Commissioners of Kansas City, Missouri (board), in order to administer its responsibilities in the area of regulation and licensing of private security and proprietary private investigative personnel, shall establish a schedule of licensing fees and list of approved forms.

(1) The fees for licensing, renewing, transferring, etc., are as follows:

| | |
|--|----------|
| (A) New Company License | \$400.00 |
| (B) Company License Renewal | \$300.00 |
| (C) Class A Armed License | \$145.00 |
| (D) Class A Armed License Renewal | \$ 90.00 |
| (E) Class A Unarmed License | \$ 90.00 |
| (F) Class A Unarmed License (two (2) years) | \$130.00 |
| (G) Class A Unarmed License Renewal | \$ 65.00 |
| (H) Class A Unarmed License Renewal (two (2) years) | \$100.00 |
| (I) Class B Armed License | \$145.00 |
| (J) Class B Armed License Renewal | \$ 90.00 |
| (K) Class B Unarmed License | \$ 90.00 |
| (L) Class B Unarmed License Renewal | \$ 65.00 |
| (M) Replacement of Lost/Stolen License | \$ 40.00 |
| (N) Dual License | \$ 65.00 |
| (O) Change of Company Name (up to and including 15 employees; over 15 employees, add an additional \$5.00 per employee) | \$150.00 |
| (P) Change of License Classification | \$ 65.00 |
| (Q) Written Test Failure | \$ 65.00 |
| (R) Range Failure (failure to qualify range appointment) | \$ 85.00 |
| (S) Failure to Attend Range Appointment | \$100.00 |
| (T) Weapon Change | \$ 85.00 |
| (U) State/NCIC/FBI Annual Fingerprinting Fee | \$ 40.00 |
| (V) Reinstatement Fee (following suspension/revocation) | \$ 65.00 |
| (W) License Transfer | \$ 65.00 |
| (X) Copy Fee | \$ 1.00 |
| | per page |
| (Y) Annual Range Fee (Handgun Training and Qualification/ Continuing Education) | \$ 85.00 |
| (Z) Annual Range Fee (Rifle Training and Qualification Continuing Education) | \$200.00 |
| (AA) Annual Range Fee (Shotgun Training and Qualification/ Continuing Education) | \$ 85.00 |
| (BB) Administrative License (no Administrative License is required for one (1) person security firms or for anyone who has another license hereunder | \$145.00 |

(2) Only cash, credit or debit cards, money orders, cashier's checks, or checks drawn on accounts of licensed companies are accepted in payment of fees. All fees are nonrefundable.

(3) The board will provide forms for applicants to use. All forms may be located at www.kcpd.org.

(A) Form 5001 P.D., "Information for Private Security/Proprietary Investigative Personnel," provides basic information to private security and proprietary private investigative personnel which includes the source of the board's authority to license private security and proprietary private investigative personnel; information on the classifications of licenses; the duties and authority of the various license classifications; information concerning firearms qualification; and scheduling and directions to the police pistol range.

(B) Form 5297 P.D., "Instructions for Licensing a Company to Employ Private Security and Proprietary Private Investigative

Personnel,” provides instructions for licensing a company to employ private security and proprietary private investigative personnel which includes instructions concerning the required certificate of liability insurance; required documents; fee required; criminal history records check information; lists the private officer license classifications; procedures for monthly invoices; and information concerning the required examination and firearms qualification.

(C) Form 5409 P.D. is the “Employer’s Application for Employment of Private Security/Proprietary Private Investigators ‘Intent to Hire.’” This form must be presented any time a license is applied for, renewed, or transferred. This is the basic application form for individual licensees which requests the following information: name of business, address, and telephone number; the individual applicant’s name, address, telephone number, date of birth, and Social Security number; the type of license being applied for; and if armed, the make, model, caliber, and serial number of the firearm the applicant intends to carry. The form must be signed by both the individual applicant and an authorized company representative. No Form 5409 P.D. will be accepted if signed by a person other than the authorized representative designated by the company in writing and on file with the Private Officers Licensing Unit (POLU).

(D) Form 5486 P.D. is the “Application for Company License.” This form is the basic application form for companies wishing to regularly work or employ persons to engage in private security or proprietary private investigative businesses in the city of Kansas City, Missouri. It requires the following information: the company’s trade name; the company’s legal name, its address, its mailing address, and business phone; the principal name of the company and home office address and telephone; whether the company is using a fictitious name and whether that name is registered with the Missouri secretary of state; whether the business is a corporation registered in a state other than Missouri but doing business in Missouri; a copy of the company’s registration in Missouri and certificate of good standing from the Missouri secretary of state if appropriate; a description of the company; information concerning whether a license issued by any governmental entity to the company has ever been denied, suspended, or revoked; a description of the uniform along with a photograph which clearly displays the company name and the word security either on the uniform or company patch to be worn by the company’s personnel (the POLU will approve in advance all uniforms to be worn by any licensee); the approximate number of persons to be licensed; a list of all company owned firearms; a list of the names, addresses, and capacities of each of the owners, partners, officers, directors, and associates of the company; a list of the company’s contact persons who are authorized to sign and do business with the board; information and proof that the persons listed in the application are U.S. citizens; and the company’s federal employment identification number (E.I.N.).

(E) Form 5715 P.D. is the “Verification of Firearms Training” form. This form requires an individual and his/her instructor to certify that the applicant has been trained in the use of the firearm the applicant intends to carry on duty. Information concerning what the training must include appears on the form. The form must be signed by the training instructor and the training instructor’s company must be listed. This form must be presented to the POLU prior to the applicant being scheduled for the range.

(F) Form 5636 P.D. is the “Weapons Discharge Report.” This form is designed to report information whenever a licensee discharges his/her firearm. Information which must be provided on the form includes: the name of the licensee and date the license expires; the licensee’s weapon make, model, and serial number; the location of the incident; the time of the incident; the name of the licensee’s supervisor and the time they were notified of the discharge; whether the licensee was on duty and in uniform; whether any fatalities or injuries resulted from the discharge; whether the shooting was accidental or intentional; the case report number in connection with the incident; a narrative description of what transpired; the signature of the licensee along with the licensee’s date of birth; and the signature

of the company representative along with the company name and address. This form must be received by the POLU within five (5) days of the incident.

(G) Form 5707 P.D. is a “Temporary License Extension” form. It requests the date, the name of the licensee, their date of birth, and their employer’s name. This form provides a temporary license to those who have not yet attended their scheduled firearms qualification date.

*AUTHORITY: section 84.720, RSMo 2016. Original rule filed Dec. 5, 1979, effective March 17, 1980. For intervening history, please consult the **Code of State Regulations**. Rescinded and readopted: Filed March 1, 2021.*

PUBLIC COST: This proposed rule will cost state agencies or political subdivisions fifteen thousand three hundred forty dollars (\$15,340) in the aggregate.

PRIVATE COST: This proposed rule will cost private entities nine hundred fourteen thousand one hundred twenty three dollars (\$914,123) in the aggregate.

*NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed rule with the Board of Police Commissioners of Kansas City, Missouri, 1125 Locust St., Kansas City, Missouri 64106. To be considered, comments must be received within thirty (30) days after publication of this notice in the **Missouri Register**. No public hearing is scheduled.*

**FISCAL NOTE
PUBLIC COST**

- I. Department Title: 17
Division Title: 10
Chapter Title: 2**

| | |
|------------------------------|--|
| Rule Number and Name: | 17 CSR 10-2.040 – Application Forms and Licensing Fees |
| Type of Rulemaking: | Proposed Rulemaking |

II. SUMMARY OF FISCAL IMPACT

| Affected Agency or Political Subdivision | Estimated Cost of Compliance in the Aggregate |
|--|---|
| City of Kansas City, Missouri | \$7885.00 |
| Jackson County, Missouri Family Court | \$560.00 |
| Kansas City International Airport Police | \$5810.00 |
| Housing Authority of Kansas City, Missouri | \$1085.00 |
| Total | \$15,340.00 |

III. WORKSHEET

The fee for a new armed license is one hundred forty-five dollars (\$145.00) per year. The fee for new unarmed licenses is ninety dollars (\$90.00) per year. The yearly renewal fee for armed licenses is ninety dollars (\$90.00) per year. The yearly renewal fee for unarmed licensees is sixty-five dollars (\$65.00).

The City of Kansas City, Missouri licenses forty (40) armed security officer and nine (9) unarmed security officers. Jackson County, Missouri Family Court licenses four (4) unarmed officers and one (1) unarmed person per year. The Kansas City International Airport Police currently licenses seventeen (17) armed officers and thirty-nine (39) unarmed officers. The Housing Authority of Kansas City, Missouri currently licenses three (3) armed officers and four (4) unarmed officers. The number of current licensees in each category was multiplied by the corresponding renewal fees charged in order to assess the fiscal impact to the current licensees. The City of Kansas City, Missouri, the Jackson County, Missouri Family Court, the Kansas City International Airport Police and the Housing Authority of Kansas City, Missouri pay a company license renewal fee in the amount of three hundred dollars (\$300.00) per year.

The City of Kansas City, Missouri will incur costs in the amount of ninety dollars (\$90.00) per renewal of its armed licenses (40) for a cost of three thousand six hundred dollars (\$3600.00) yearly. In addition, each armed applicant will pay a range fee in the amount of eighty-five dollars (\$85.00) for an additional three thousand four hundred dollars (\$3400.00). The total fiscal impact for armed applicants to the City of Kansas

City, Missouri is seven thousand dollars (\$7000.00). The City of Kansas City, Missouri will incur costs of sixty-five dollars (\$65.00) per renewal of each of its unarmed licenses (9) for a total cost of five hundred eighty-five dollars (\$585.00) yearly. The City of Kansas City, Missouri will pay a company license renewal fee in the amount of three hundred dollars (\$300.00) per year. Total fiscal impact for all licensees to the City of Kansas City, Missouri is seven thousand eight hundred eighty-five dollars (\$7885.00).

Jackson County, Missouri Family Court will incur costs of sixty-five dollars (\$65.00) per renewal of each of its unarmed licenses (4) for a cost of two hundred sixty dollars (\$260.00) yearly. The total fiscal impact to Jackson County, Missouri for renewal of unarmed licenses is two hundred sixty dollars (\$260.00) per year. The Jackson County, Missouri Family Court will pay a company license renewal fee in the amount of three hundred dollars (\$300.00) per year. The total fiscal impact for all licensees is four hundred twenty (\$560.00) to the Jackson County, Missouri Family Court.

The Kansas City International Airport Police will incur costs in the amount of ninety dollars (\$90.00) per renewal of each of its armed licenses (17) for a cost of one thousand five hundred thirty dollars (\$1530.00) yearly. In addition, each armed applicant will pay a range fee in the amount of eighty-five dollars (\$85.00). The additional fiscal impact to armed licensees is one thousand four hundred forty-five dollars (\$1,445.00) for a total fiscal impact for armed licensees of two thousand nine hundred seventy-five dollars (\$2975.00). The Kansas City International Airport Police will incur costs in the amount of sixty-five dollars (\$65.00) per renewal of each of its unarmed licenses (39) for a total cost of two thousand five hundred thirty-five dollars (\$2535.00) yearly. The total fiscal impact for armed and unarmed licenses is five thousand five hundred ten dollars (\$5510.00). The Kansas City International Airport Police also pay a company license renewal fee of three hundred dollars (\$300.00) per year under the Proposed Rules for a total fiscal impact of five thousand eight hundred ten dollars (\$5810.00) per year.

The Housing Authority of Kansas City, Missouri will incur costs in the amount of ninety dollars (\$90.00) per renewal of each of its armed licenses (3) for a cost of two hundred seventy dollars (\$270.00) yearly. Additionally, each armed licensee will pay a range fee in the amount of eighty-five dollars (\$85.00) per applicant for a total cost of two hundred fifty-five dollars (\$255.00). Total fiscal impact to the Housing Authority of Kansas City, Missouri armed licensees is therefore, five hundred twenty-five dollars (\$525.00). The Housing Authority of Kansas City, Missouri will incur costs of sixty-five dollars (\$65.00) per renewal of each of its unarmed licenses (4) for a cost of two hundred sixty dollars (\$260.00) yearly. The total fiscal impact to the Housing Authority of Kansas City, Missouri for renewal of armed licenses is five hundred twenty-five dollars (\$525.00) and for unarmed licenses is two hundred sixty dollars (\$260.00) per year for a total of fiscal impact of seven hundred eighty-five dollars (\$785.00). The Housing Authority of Kansas City, Missouri also pays a company license renewal fee of three hundred dollars (\$300.00) per year under the Proposed Rules for a total fiscal impact of one thousand eighty-five dollars (\$1085.00) per year.

Board has created an optional two-year license and two-year renewal fee for Class A unarmed licensees. Board is unable to predict how many licensees will decide to take advantage of the cost savings offered (\$50.00 savings for a new unarmed license and a \$30 saving for renewals) by these new options. If the company is paying for the license instead of the individual, it is not believed they will not avail themselves of the savings involved due to the high turnover in the ranks of unarmed security officers.

IV. ASSUMPTIONS

This rule requires that those providing security services be licensed as either armed or unarmed security officers. Other fees assessed are provided for in other sections of this chapter and the fiscal impact of those fees will be outlined in the fiscal notes prepared for those sections. These figures assume that the agencies will renew the licenses of all those currently licensed and will not switch the classifications of the persons they are licensing, i.e., from unarmed to armed or vice versa. These figures also assume that the agencies pay the license fees for those they license, rather than the individual paying the fees themselves. Board keeps no records of how the various entities operate and how they pay their fees. Therefore, the actual cost to these entities cannot be assessed and it must be assumed that for purposes of this fiscal note that the entities pay the entire fee. These cost calculations take into account yearly renewal fees for existing licensees. If the entities license additional persons, additional costs for new licenses will be incurred in the amounts set out above for new licenses.

This Proposed Rule also sets out the fees for license transfers, dual licenses, change of license classification fees, replacement of lost or stolen licenses, rescheduling fees for the range, weapons changes, late fees, test failure fees, range failure fees, reinstatement fees and copying fees. Because the Board is unable to estimate in advance how many persons will lose their licenses, transfer their licenses, apply for a dual license, etc., the fiscal impact cannot be estimated. Should these fees be assessed, Board would not know whether the public entities or the individual licensees would be paying these fees and therefore, the impact to the entities is uncertain. Historically these public entities have not been assessed these fees.

**FISCAL NOTE
PRIVATE COST**

- I. Department Title: 17**
Division Title: 10
Chapter Title: 2

| | |
|-------------------------------|--|
| Rule Number and Title: | 17 CSR 10-2.040 – Application Forms and License Fees |
| Type of Rulemaking: | Proposed Rule |

II. SUMMARY OF FISCAL IMPACT

| Estimate of the number of entities by class which would likely be affected by the adoption of the rule: | Classification by types of the business entities which would likely be affected: | Estimate in the aggregate as to the cost of compliance with the rule by the affected entities: |
|---|--|--|
| 968 | Armed Licensees | \$169,400.00 |
| 436 | New Armed Licensees | \$117,720.00 |
| 1435 | Unarmed Licensees | \$93,275.00 |
| 2035 | New Unarmed Licensees | \$264,550.00 |
| 169 | Company Licenses | \$50,700.00 |
| 25 | New Company Licenses | \$10,000.00 |
| 50 | Administrative Licenses | \$7250.00 |
| 67 | Replacement of Lost/Stolen License | \$2680.00 |
| 164 | Dual License | \$10,660.00 |
| 278 | Change of License Classification | \$18,070.00 |
| 178 | Written Test Failure | \$11,570.00 |
| 242 | Range Failure | \$20,570.00 |
| 129 | Failure to Attend Range Appointment | \$12,900.00 |

| | | |
|--------------|-----------------------------|---------------------|
| 5 | Weapon Change | \$425.00 |
| 2471 | State/NCIC/FBI fee | \$98,840.00 |
| 21 | Reinstatement Fee | \$1365.00 |
| 368 | License Transfer Fee | \$23,920.00 |
| 228 | Copy Fee | \$228.00 |
| Total | | \$914,123.00 |

III. WORKSHEET

The fee for a new armed license is one hundred forty-five dollars (\$145.00) per year. The fee for new unarmed licenses is ninety dollars (\$90.00) per year. The yearly renewal fee for armed licenses is ninety dollars (\$90.00) per year. The yearly renewal fee for unarmed licensees is sixty-five dollars (\$65.00).

Currently approximately 968 persons hold armed licenses. With the renewal fee of ninety dollars (\$90.00), the fiscal impact to armed licensees is \$87,120.00. The armed applicants will also pay a range fee of eighty-five (\$85.00). Therefore, the fiscal impact to armed licensees is an additional \$82,280.00 for a total fiscal impact of \$169,400.00. Currently approximately 1435 persons hold unarmed licenses. With the renewal fee of sixty-five dollars (\$65.00), the total fiscal impact to unarmed licensees is \$93,275.00.

In order to assess the fiscal impact to the individuals acquiring new armed licenses, an estimate of the number of new armed licensees, four hundred thirty-six (436) must be multiplied by the fee amount (\$145.00) for armed licenses for a fiscal impact of \$63,220.00. In addition, each new armed applicant will pay a range fee in the amount of eighty-five dollars (\$85.00) and an annual fingerprinting fee of forty dollars (\$40.00) for a fiscal impact of \$54,500.00. The total fiscal impact to new armed licensees is \$117,720.00. In order to determine the fiscal impact to individuals acquiring new unarmed licenses, an estimate of the number of new unarmed licensees, 2035, must be multiplied by the fee amount (\$90.00) for unarmed licenses for a fiscal impact of \$183,150.00 for the license. In addition, each unarmed licensee will pay an annual fingerprinting fee of forty dollars (\$40.00) for a fiscal impact of \$81,400.00. The total fiscal impact to new unarmed licensees is \$264,550.00

All firms, companies, partnerships and corporations licensed will pay a company fee in the amount of three hundred dollars (\$300.00) per year. The approximate number of companies holding licenses (169) was multiplied by the new company fee (\$300.00) in order to assess the fiscal impact to the current companies holding licenses in the amount of \$50,700.00. Approximately 25 new companies will obtain new licenses during the year. Each will pay the company license fee of \$400.00 for a total fiscal impact of \$10,000.00.

Board is instituting an administrative license to be paid by each person supervising a security officer licensee (except for one person companies or anyone who holds another license under these rules). Board estimates that there will be fifty (50) administrative licenses issued at a cost of one hundred forty-five dollars (\$145.00) per license for a total fiscal impact of \$7250.00.

Board has instituted a fee for those licensees who lose or have their licenses stolen in the amount of forty dollars (\$40.00) to cover Board's costs in reissuing a license. Board estimates that approximately sixty-seven (67) licensees will lose or have their licenses stolen based on historical information. The total fiscal impact to companies or licensees is two thousand six hundred and eighty dollars (\$2680.00).

Board has instituted a fee for those licensees who wish to hold dual licenses, that is a license with more than one company in the amount of sixty-five dollars (\$65.00) to cover Board's costs and to ensure that licensees save money when holding more than one license. Board estimates that approximately one hundred sixty-four (164) licensees will apply for dual licenses based on historical information. The total fiscal impact to companies or licensees is ten thousand six hundred and sixty dollars (\$10,660.00).

Board has instituted a fee for those licensees who wish to change their license classification (for example, from Class B to Class A or armed to unarmed) in the amount of money when making changes to their existing licenses. Board estimates that approximately two hundred seventy-eight (278) licensees will apply to change their license classification based on historical information. The total fiscal impact to companies or licensees is eighteen thousand seventy dollars (\$18,070.00).

Board has instituted a fee for those licensees who fail to pass the written test administered to all licensees in the amount of sixty-five dollars (\$65.00) to cover Board's costs in re-administering the test. Board estimates that approximately one hundred seventy-eight (178) licensees will fail the written test based on historical information. The total fiscal impact to companies or licensees is eleven thousand five hundred seventy dollars (\$11,570.00).

Board has instituted a fee for those armed licensees who fail to qualify with their firearm at the range in the amount of eighty-five dollars (\$85.00) to cover Board's costs in re-administering the qualification test. Board estimates that approximately two hundred forty-two (242) armed licensees will fail to qualify at the range based on historical information. The total fiscal impact to companies or licensees is seven thousand one hundred twenty dollars (\$20,570.00).

Board is instituting a fee for those armed licensees who fail to attend their scheduled range qualification in the amount of one hundred dollars (\$100.00) to cover Board's costs in re-scheduling the qualification test. Board estimates that approximately one hundred twenty-nine (129) armed licensees will fail to attend their range qualification based on historical information. The total fiscal impact to companies or licensees is twelve thousand nine hundred dollars (\$12,900.00).

Board has instituted a weapon change fee for armed licensees in the amount of eighty-five dollars (\$85.00), however historically only five (5) persons per year have changed to a different weapon so the fiscal impact is minimal and is in the amount of \$425.00.

Board assesses a fee for all new applicants in order to fingerprint them for a criminal background check through the State of Missouri/National Crime Information Center/Federal Bureau of Investigation (State/NCIC/FBI) in the amount of forty dollars (\$40.00). Board estimates there will be 436 new armed applicants who will pay the fee for a fiscal impact of seventeen thousand four hundred forty dollars (\$17,440.00). Board estimates there will be 2035 new unarmed applicants who will require fingerprinting for a fiscal impact of eight-one thousand four hundred dollars (\$81,400.00). The total fiscal impact to all new applicants due to the fingerprinting fee for the State/NCIC/FBI background check is ninety-eight thousand eight hundred forty dollars (\$98,840.00).

Board has instituted a reinstatement fee for licensees who have had their licenses suspended or revoked for a violation of Board's rules in the amount of sixty-five dollars (\$65.00), however historically only approximately twenty-one (21) persons per year have been assessed this fee so the fiscal impact is minimal and is in the amount of one thousand three hundred sixty-five dollars (\$1365.00).

Board has instituted a license transfer fee for licensees who wish to transfer their licenses to another company in the amount of sixty-five dollars (\$65.00). Historically approximately three hundred sixty-eight (368) persons per year have been assessed this fee. The total fiscal impact is in the amount of twenty three thousand nine hundred twenty dollars (\$23,920.00).

Board has instituted a copy fee of \$1.00 per page for licensees who wish to have copies made of documents. Historically approximately two hundred twenty-eight (228) copies of documents such as range sheets and receipts for payments are made each year. The total fiscal impact is minimal and in the amount of \$228.00.

Board has included in this rule a fee for shotgun and rifle training and qualification. To date, no one has ever requested or participated in rifle or shotgun training offered by Board. It is not anticipated that any persons will request or participate in these types of training.

IV. ASSUMPTIONS

These figures assume that Board is correct about the number of persons who will newly apply for armed, unarmed and company licenses in the next year. These figures also assume that the companies pay the license fees for those they license, rather than the individual paying the fees themselves. In fact, Board is aware that some companies pay a portion of the licensing fees of their employees and the employees pay the balance. Board keeps no records of how the various companies operate and how they pay their fees. Therefore, the actual cost to these companies cannot be assessed and it must be assumed that for purposes of this fiscal note that the companies pay the entire fee.

This Proposed Rule also sets out various other fees for license transfers, dual licenses, change of license classification fees, replacement of lost or stolen licenses, rescheduling fees for the range, weapons changes, late fees, test failure fees, range failure fees, reinstatement fees and copying fees. Because the Board is unable to estimate in advance how many persons will lose their licenses, transfer their licenses to a new company, apply for a dual license, etc., the precise fiscal impact cannot be estimated. Again, Board would not know whether companies or the individual licensees would be paying these fees and therefore, the impact to businesses is uncertain.

**Title 17—BOARDS OF POLICE COMMISSIONERS
Division 10—Kansas City Board of Police Commissioners
Chapter 2—Private Security**

PROPOSED RESCISSION

17 CSR 10-2.050 Testing Requirements and Qualification Standards. This rule established testing requirements for those seeking individual licensing pursuant to these provisions established qualification standards pursuant to the duties carried out by individuals providing private security services.

PURPOSE: Board wishes to rescind this rule and adopt a new rule in its place to clarify the language in the rule and insure compliance with the applicable law.

AUTHORITY: section 84.720, RSMo 2000. Original rule filed Dec. 5, 1979, effective March 17, 1980. For intervening history, please consult the Code of State Regulations. Rescinded: Filed March 1, 2021.

PUBLIC COST: This proposed rescission will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed rescission will not cost private entities more than five hundred dollars (\$500) in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed rescission with the Board of Police Commissioners of Kansas City, Missouri, 1125 Locust St., Kansas City, Missouri 64106. To be considered, comments must be received within thirty (30) days after publication of this notice in the Missouri Register. No public hearing is scheduled.

**Title 17—BOARDS OF POLICE COMMISSIONERS
Division 10—Kansas City Board of Police Commissioners
Chapter 2—Private Security**

PROPOSED RULE

17 CSR 10-2.050 Testing Requirements and Qualification Standards

PURPOSE: In accordance with generally recognized policing standards, the Board of Police Commissioners of Kansas City, Missouri (board) has established testing requirements for those seeking individual licensing pursuant to these provisions and has established qualification standards pursuant to the duties carried out by individuals providing private security or proprietary private investigative services.

(1) All applicants for licensing shall successfully pass a written examination as presented by the department to potential licensees demonstrating they have received appropriate training from their employer. A person failing to obtain a passing score as established by the board may be allowed to retake the written test three (3) times. An additional fee and a new Form 5409 P.D. is required each time the test is retaken. The test may not be taken more than one (1) time per day. An applicant shall have the right to review their test. The Private Officers Licensing Unit (POLU) may refuse to test any person if evidence exists that there is grounds for denial of the license. Retired sworn members of the department are not required to be tested. The board has established categories of testing that reflect the responsibilities and qualifications required for the type of license sought by the applicant. An information manual outlining the examination will be available from the POLU. It is the company's respon-

sibility to provide training necessary to prepare the applicant to take and pass the board's written examination. In addition to obtaining the license as an armed licensee, the company must provide a certification from a firearms instructor who has been certified by a recognized organization on the department's then currently approved list that the applicant or licensee has completed the required firearms training as described in 17 CSR 10 2.055, and must present a completed Form 5715 P.D. at the time of application. The licensee must successfully qualify annually with their weapon. The qualification will be equivalent to that required for department police officers. In addition, any person holding an armed license shall requalify any time they change weapons. A licensee may only carry and qualify with one (1) handgun per company. As set out in 17 CSR 10 2.040(1), a fee will be charged anytime a weapon change is made.

(A) Applicants for Class A licensing, in addition to those topics listed in subsection (1)(B) of this rule, shall also be trained by their employer and tested on issues of crime and criminal liability, firearms responsibility and liability, and patrol techniques. Class A licenses issued to those requesting designation as a proprietary private investigator shall also be trained by the employer and tested on investigative techniques, illegal electronic surveillance, audio recording, and visual or video recording when permissible.

(B) Applicants for Class B licensing as provided in this chapter shall be tested on detention and seizure, how to interact with the general public and public officials, the licensing process, including rules, how to react to crisis situations, and liability issues.

(C) Applicants for proprietary private investigator must possess a high school diploma and one (1) of the following: A two (2) year degree in Administration of Criminal Justice or a bachelor's degree; two (2) consecutive years prior investigative experience in law enforcement, military police, or military intelligence functions; or two (2) years consecutive experience with a licensed private security or proprietary private investigative company, and be certified by that company as to knowledge of the law and investigative techniques.

(D) In addition to the proficiency certification from a firearms instructor that the applicant or licensee has completed the required firearms training as described in 17 CSR 10 2.055, each armed licensee will complete a four (4) hour handgun information and qualification session at the Kansas City, Missouri Police Pistol Range (range) each year and additional hours for rifle and/or shotgun information and qualification if the applicant wishes to carry one (1) or both of those weapons. If an applicant wishes to carry both weapons, the applicant will be required to complete both a rifle and a shotgun information and qualification session and pay the fees associated with those sessions as provided in 17 CSR 10 2.040(1)(Y), (Z), and (AA). Each company representative and licensee will pay the fees associated with these requirements as set out in 17 CSR 10 2.040(1).

(2) As all applicants for Class A licenses (other than those solely seeking an Administrative License) are granted the authority to detain or apprehend, each applicant's employer must certify annually on the Form 5409 P.D. that the applicant

(A) Is physically and mentally capable of being able to safely detain or apprehend suspects without the necessity of resorting to the displaying or discharging of a weapon; and

(B) Meets the physical and mental standards equivalent to those required of department police officers. This will require every applicant to submit at renewal annually a Form 5409 P.D. The board may investigate the certification and may reject the application if there is evidence that the certification is false or incorrect.

(3) Additionally, each applicant applying for any license under these provisions must meet these standards

(A) Meet the qualifications in 17 CSR 10 2.020(3);

(B) Be at least twenty one (21) years of age to hold an armed license and be at least eighteen (18) years of age to hold an unarmed license;

(C) Meet mental standards equivalent to those required of department police officers;

(D) Be capable of understanding and performing the duties and responsibilities of a licensee;

(E) If the applicant served in the Armed Forces of the United States within ten (10) years prior to the date of application, the final discharge of the applicant from the armed forces must be honorable or general under honorable conditions;

(F) Not have been convicted of, or pled guilty or no contest to, a felony, a misdemeanor, or an ordinance violation in federal, state, or municipal court (if the conviction was over 5 years ago or was less than 5 years ago and was a misdemeanor or city ordinance violation, and any sentence, fine, or probationary conditions have been fully satisfied and completed, the applicant may appeal this requirement to the board, and the board may waive this requirement in its sole discretion following such an appeal);

(G) For armed applicants, not be the respondent named in a full order of protection currently in effect issued after a hearing by a court of competent jurisdiction;

(H) Have no prior revocation of a security license (including with out limitation any security firms for which an applicant for a new company license is affiliated with an owner, partner, officer, director, manager, member, or associate who had his or her license revoked);

(I) Failing to meet the standards as set out herein;

(J) Making any false statements or giving any false information in connection with an application for a license;

(K) Failing to provide information deemed necessary in order to establish eligibility;

(L) Holding a license which is suspended, including a suspension which is currently under review or under a stay pending the outcome of litigation in a court of competent jurisdiction (including without limitation any security firms for which an applicant for a new company license is affiliated with an owner, partner, officer, director, manager, member, or associate who had his or her license suspended);

(M) Providing other facts or actions which demonstrate that the applicant is unsuitable or ineligible for license or lacks good moral character by having engaged in acts of moral turpitude such as fraud, dishonesty, violence, bribery, sexual misconduct, or as otherwise defined by the common law of Missouri;

(N) Being terminated from or resigning under investigation or threat of discharge from the department or any other law enforcement agency shall make an individual ineligible for a license, but s/he may appeal to the board pursuant to the appeal process contained in this chapter; and

(O) Being arrested during the pendency of his or her application.

(4) Applicants and their employers, in the event of license denial, will be given a written notification. Applicants may appeal in writing to the POLU within thirty (30) business days of denial notification. The appeal should contain a brief statement responding to the reasons for denial. The board will then notify the applicant in writing of its formal decision on the matter. Applicants have no right to a hearing or presentation to the board.

(5) The board reserves the right to prohibit the holder of a license from carrying any firearm.

(6) All licenses granted by the board as set out herein may be temporary until the completion of the applicant's criminal history records check. Armed licenses will not be issued until the criminal history records check results are received by the POLU.

AUTHORITY: section 84.720, RSMo 2016. Original rule filed Dec. 5, 1979, effective March 17, 1980. For intervening history, please consult the Code of State Regulations. Rescinded and readopted: Filed March 1, 2021.

PUBLIC COST: This proposed rule will cost state agencies or political subdivisions five thousand one hundred dollars (\$5,100) in the

aggregate.

PRIVATE COST: This proposed rule will cost private entities one hundred nineteen thousand three hundred forty dollars (\$119,340) in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed rule with the Board of Police Commissioners of Kansas City, Missouri, 1125 Locust St., Kansas City, Missouri 64106. To be considered, comments must be received within thirty (30) days after publication of this notice in the Missouri Register. No public hearing is scheduled.

**FISCAL NOTE
PUBLIC COST**

- I. Department Title: 17
Division Title: 10
Chapter Title: 2**

| | |
|------------------------------|--|
| Rule Number and Name: | 17 CSR 10-2.050 – Testing Requirements and Qualification Standards |
| Type of Rulemaking: | Proposed Rulemaking |

II. SUMMARY OF FISCAL IMPACT

| Affected Agency or Political Subdivision | Estimated Cost of Compliance in the Aggregate |
|--|---|
| City of Kansas City, Missouri | \$3400.00 |
| Kansas City International Airport Police | \$1445.00 |
| Housing Authority of Kansas City, Missouri | \$255.00 |
| Total | \$5100.00 |

III. WORKSHEET

Each armed licensee will pay a range fee in the amount of eighty-five dollars (\$85.00).

The City of Kansas City, Missouri licenses forty (40) armed officers. The armed licensees (40) will pay eighty-five dollars (\$85.00) each for a total fiscal impact to the City of Kansas City, Missouri of three thousand four hundred dollars (\$3400.00).

The Kansas City International Airport Police has seventeen (17) armed licensees. The armed licensees will pay eighty-five dollars (\$85.00) each for a total of one thousand four hundred forty-five dollars (\$1445.00).

The Housing Authority of Kansas City, Missouri licenses three (3) armed persons. Those licensees will pay eighty-five dollars (\$85.00) each for a total fiscal impact to the Housing Authority of Kansas City, Missouri of two hundred fifty-five dollars (\$255.00).

IV. ASSUMPTIONS

These figures assume that the number of armed licensees remains constant in the next year. These figures also assume that the agencies pay the fees for those they license, rather than the individual paying the fees themselves. In fact, Board is aware that some entities pay a portion of the licensing fees of their employees and the employees pay the balance. Board keeps no records of how the various entities operate and how they pay their fees. Therefore, the actual cost to these agencies cannot be assessed and it must be assumed that for purposes of this fiscal note that the agencies pay the entire fee.

**FISCAL NOTE
PRIVATE COST**

- I. Department Title: 17**
Division Title: 10
Chapter Title: 2

| | |
|-------------------------------|--|
| Rule Number and Title: | 17 CSR 10-2.050 – Testing Requirements and Qualification Standards |
| Type of Rulemaking: | Proposed Rule |

II. SUMMARY OF FISCAL IMPACT

| Estimate of the number of entities by class which would likely be affected by the adoption of the rule: | Classification by types of the business entities which would likely be affected: | Estimate in the aggregate as to the cost of compliance with the rule by the affected entities: |
|---|--|--|
| 968 | Armed Licensees | \$82,280.00 |
| 436 | New Armed Licensees | \$37,060.00 |
| Total | | \$119,340.00 |

III. WORKSHEET

This rule allows the Board to require that individuals holding armed licenses to charge a range fee for firearms qualification in the amount of eighty-five dollars (\$85.00). Currently approximately 968 persons hold armed licenses. The total fiscal impact to all armed licensees is \$82,280.00.

In order to assess the fiscal impact to the individuals acquiring new armed licenses, an estimate of the number of new armed licensees, four hundred thirty-six (436) must be multiplied by the range fee in the amount of eighty-five dollars (\$85.00) for a fiscal impact of \$37,060.00.

IV. ASSUMPTIONS

These figures assume that Board is correct about the number of persons who will newly apply for armed licenses in the next year and that the number of existing armed licensees will remain approximately the same. Board is aware that some companies pay a portion of the fees of their employees, and the employees pay the balance. Board keeps no records of how the various companies operate and how they pay their fees. Therefore, the actual cost to companies versus individuals cannot be assessed.

**Title 17—BOARDS OF POLICE COMMISSIONERS
Division 10—Kansas City Board of Police Commissioners
Chapter 2—Private Security**

PROPOSED RESCISSION

17 CSR 10-2.055 Weapons Regulations and Firearms Qualification. This rule established requirements for persons seeking licenses for positions authorized to carry approved firearms.

PURPOSE: Board wishes to rescind this rule and adopt a new rule in its place to clarify the language in the rule and insure compliance with the applicable law.

AUTHORITY: section 84.720, RSMo 2000. Original rule filed Dec. 5, 1979, effective March 17, 1980. For intervening history, please consult the *Code of State Regulations*. Rescinded: Filed March 1, 2021.

PUBLIC COST: This proposed rescission will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed rescission will not cost private entities more than five hundred dollars (\$500) in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed rescission with the Board of Police Commissioners of Kansas City, Missouri, 1125 Locust St., Kansas City, Missouri 64106. To be considered, comments must be received within thirty (30) days after publication of this notice in the *Missouri Register*. No public hearing is scheduled.

**Title 17—BOARDS OF POLICE COMMISSIONERS
Division 10—Kansas City Board of Police Commissioners
Chapter 2—Private Security**

PROPOSED RULE

17 CSR 10-2.055 Weapons Regulations and Firearms Qualification

PURPOSE: Applicants seeking licenses for positions authorized to carry approved firearms must be certified as qualified to carry those firearms pursuant to requirements as established by the Board of Police Commissioners of Kansas City, Missouri (board) herein.

(1) A licensee is authorized to carry only handguns in a strong side hip holster approved by the board and only if the licensee has qualified with that handgun as set out herein. All licensees must have a completed Verification of Firearms Training Form (Form 5715 P.D.) before reporting to the Private Officers Licensing Unit (POLU). The handguns approved by the board are as follows: .38 caliber, double action solid frame revolvers (five (5) or six (6) shot); and semiautomatics, double action only or double/single action, which are equipped with a decocker or decocker safety. This requirement limits the semi automatics which may be carried to .40, .45, and 9mm calibers. Striker action handguns are acceptable. The department shooting range supervisor or his/her designee may deny a licensee the opportunity to qualify if, in their discretion, they believe a person or a firearm does not meet the requirements set out herein or presents a danger to others.

(2) Licensees may carry patrol rifles under the following terms and conditions. The only approved rifle will be the semi automatic AR15, .223/5.56 caliber firearm. The Patrol Rifle must meet the following requirements to be approved for testing at the department

shooting range and use on duty:

(A) AR 15 type firearm that has forged upper and lower receivers. No cast or carbon fiber;

(B) A sixteen inch (16") overall barrel length;

(C) A factory type trigger system. Lightweight match style triggers are not permitted on an approved personal rifle;

(D) Iron sights, with a front tritium (night) sight (mandatory). Pop up sights are also acceptable;

(E) A minimum of two (2), 30 round magazines or three (3), 20 round magazines;

(F) A mountable light source (minimum of 80 90 lumens);

(G) A sling (1, 2, or 3 point styles are required);

(H) Armed licensees carrying a Patrol Rifle will only carry U.S. made factory loaded 55 grain soft point ammunition in the weapon. (Hollow point and full metal jacket ammunition are forbidden.)

(3) Licensees may carry patrol shotguns under the following conditions. The Patrol Shotgun must meet the following requirements to be approved for testing at the department shooting range and use on duty:

(A) 12 gauge pump action shotgun;

(B) Minimum eighteen and one half inch (18.5") barrel, maximum of twenty inch (20") (no rifled barrels, no ported barrels);

(C) Minimum 4 round magazine capacity;

(D) Must have a sling (1, 2, or 3 point) attached to the weapon;

(E) Metallic sights only (no scopes, red dots, or other optics);

(F) Subdued finish, blued, parkerized, matte finish;

(G) Stock trigger/safety systems, no aftermarket trigger systems or safeties;

(H) No muzzle brake/compensators/hold off devices allowed;

(I) No barrel shrouds allowed;

(J) No knives or bayonets or bayonet attachments allowed;

(K) Extended magazine tubes will be allowed, but must not extend more than one inch (1") past the muzzle;

(L) Armed licensees carrying a Patrol Shotgun will only carry U.S. made factory loaded 12 gauge slug or U.S. made factory loaded 12 gauge buckshot (#4 buckshot, #1 buckshot or 00 buckshot) ammunition in the weapon.

(4) All applicants seeking licensure for positions for which firearms may be possessed must qualify annually with the firearm(s) on the department pistol range and under the supervision of the department's firearms instructors. The firearms qualifications standards shall be in accordance with those established by department for its officers.

(5) An applicant must display the ability to safely and properly handle his/her approved firearm(s).

(6) An applicant shall not be licensed if the applicant

(A) Displays an inability to handle a firearm safely and properly; or

(B) Does not attain the minimum scores for qualification. The applicant shall be given a maximum of two (2) additional opportunities to qualify. An additional fee and new Forms 5409 P.D. and 5715 P.D. are required for each additional qualification and will be scheduled by the POLU. If the applicant fails to qualify after two (2) additional attempts, the applicant will not be allowed to attempt to qualify for one (1) year from the date of the last failure.

(7) In addition to the applicant successfully passing an approved firearms qualification test, the applicant or his/her employer must satisfy the physical certification requirements for a Class A license as established herein.

(8) Licensees holding an armed license may wear their approved firearm with their uniform, unless classified as a nonuniformed proprietary private investigator, while at work and while traveling directly to and from work.

(9) Those licensed as private security and proprietary private investigators must comply with city ordinance and state law which prohibits carrying a firearm or other weapon readily capable of lethal use into any building owned or occupied by any agency of the state government. This includes the POLU and any other office within the building or any other building occupied by the department.

(10) Each security firm shall designate a training coordinator (the training coordinator) who will be responsible for ensuring that all armed members of the security firm receive training from a qualified firearms instructor experienced in providing law enforcement/security training, as described in 17 CSR 10 2.050(1). The training coordinator will be the person responsible for signing Form 5715, verifying each individual armed security officer has received verifiable training. Form 5715 is an official document and any training coordinator knowingly providing false information to the POLU will be subject to removal as the training coordinator for a period of two (2) years and training coordinator and the security firm will be subject to the disciplinary procedures set forth in 17 CSR 10 2.060. Training coordinators will be provided a checklist detailing the mandatory training requirements, must sign verifying that the mandatory training has been conducted, and the security firm will be subject to investigation if the individual attempting to qualify has not been properly trained.

AUTHORITY: section 84.720, RSMo 2016. Original rule filed May 28, 1993, effective Jan. 31, 1994. For intervening history, please consult the Code of State Regulations. Rescinded and readopted: Filed March 1, 2021.

PUBLIC COST: This proposed rule will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed rule will cost private entities twenty two thousand five hundred five dollars (\$22,505) in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed rule with the Board of Police Commissioners of Kansas City, Missouri, 1125 Locust St., Kansas City, Missouri 64106. To be considered, comments must be received within thirty (30) days after publication of this notice in the Missouri Register. No public hearing is scheduled.

**FISCAL NOTE
PRIVATE COST**

- I. Department Title: 17
Division Title: 10
Chapter Title: 2**

| | |
|-------------------------------|--|
| Rule Number and Title: | 17 CSR 10-2.055 – Firearms Regulations and Qualification |
| Type of Rulemaking: | Proposed Rule |

II. SUMMARY OF FISCAL IMPACT

| Estimate of the number of entities by class which would likely be affected by the adoption of the rule: | Classification by types of the business entities which would likely be affected: | Estimate in the aggregate as to the cost of compliance with the rule by the affected entities: |
|---|--|--|
| 129 | Armed Licensees/Failed to Attend Range Qualification | \$12,900.00 |
| 113 | Armed Licensees/Failed to Qualify | \$9605.00 |
| Total | | \$22,505.00 |

III. WORKSHEET

This rule requires that individuals holding armed licenses pay a range fee to Board if a licensee fails to qualify at the Department pistol range. This fee is set out in 17 CSR 10-2.040 and is known as a Range Failure (failure to qualify range appointment) fee of eighty-five dollars (\$85.00).

In order to assess the fiscal impact to the armed licensees, Board has determined that approximately 113 armed licensees fail to qualify per year at the Department pistol range and fees were assessed to each in the amount for eighty-five dollars (\$85.00), for a total fiscal impact of nine thousand six hundred five dollars (\$9605.00).

Board is imposing a fee found in 17 CSR 10-2.040 to armed licensees who fail to attend their range qualification appointment known as the Failure to Attend Range Appointment fee in the amount of one hundred dollars (\$100.00). This is a new fee but Board estimates that in any given year, approximately 129 armed licensees will fail to attend their range qualification appointment, for a total fiscal impact of \$12,900.00.

IV. ASSUMPTIONS

These figures assume that the number of persons who will fail to qualify/fail to attend will remain approximately the same as past years. These figures also assume that the companies pay the rescheduling fees for those they license, rather than the individual paying the fees themselves. In fact, Board is aware that some companies pay a portion of the fees of their employees and the employees pay the balance. Board keeps no records of how the various companies operate and how they pay their fees. Therefore, the actual cost to companies versus that to individuals cannot be assessed.

**Title 17—BOARDS OF POLICE COMMISSIONERS
Division 10—Kansas City Board of Police Commissioners
Chapter 2—Private Security**

PROPOSED RESCISSION

17 CSR 10-2.060 Regulation, Suspension, and Revocation. This rule gave the board the power to suspend or revoke any license granted by it and set out an appeal process for any license so affected.

PURPOSE: Board wishes to rescind this rule and adopt a new rule in its place to clarify the language in the rule and insure compliance with the applicable law.

AUTHORITY: section 84.720, RSMo 2000. Original rule filed Dec. 5, 1979, effective March 17, 1980. For intervening history, please consult the Code of State Regulations. Rescinded: Filed March 1, 2021.

PUBLIC COST: This proposed rescission will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed rescission will not cost private entities more than five hundred dollars (\$500) in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed rescission with the Board of Police Commissioners of Kansas City, Missouri, 1125 Locust St., Kansas City, Missouri 64106. To be considered, comments must be received within thirty (30) days after publication of this notice in the Missouri Register. No public hearing is scheduled.

**Title 17—BOARDS OF POLICE COMMISSIONERS
Division 10—Kansas City Board of Police Commissioners
Chapter 2—Private Security**

PROPOSED RULE

17 CSR 10-2.060 Regulation, Suspension, and Revocation

PURPOSE: Under section 84.720, RSMo, the Board of Police Commissioners of Kansas City, Missouri (board) shall regulate individuals providing private security/proprietary private investigative services. Pursuant to this authority, the board has the power to suspend, impose a fine, order probation, or revoke any license granted by it; and the board is obligated to furnish an appeal process for any license so affected.

(1) The board may monitor and investigate allegations of improper conduct and the activities of individuals providing private security and proprietary private investigative services and firms, companies, partnerships, entities, or political subdivisions providing security services or proprietary private investigative services pursuant to these rules.

(2) All licenses shall expire either one (1) year or two (2) years from the date of issuance depending on the duration of the initial license issued to the applicant. For licenses renewed after their expiration date, the licensee will be processed as a new applicant.

(3) A licensee must carry his/her license with him/her at all times while they are working. The license card must be worn on the outermost garment while on duty. The licensee must produce such license immediately at the request of a police officer; employee of the board; or person that the licensee has stopped or detained, if the licensee holds a license which allows him/her to stop and detain persons.

(4) The Private Officers Licensing Unit (POLU) will approve in advance all uniforms to be worn by any licensee. No uniform identical to or bearing resemblance to any uniform used by the department shall be approved. Additionally, no uniforms, badges, or other insignia using the word "police" shall be approved for use, except as provided in 17 CSR 10 2.030(1)(A)5. 6. Companies licensed under this chapter shall provide the board a description, including the type and color of the company uniform along with a photograph of the uniform. The company name must appear on the uniform or a patch and the word "security" must also appear on the uniform or patch. The word "security" must be clearly displayed on the outermost clothing to be worn by the licensee.

(5) Individuals providing private security services or proprietary private investigative services are required to file a discharge of firearms report with the board within five (5) days of the incident whenever they discharge a firearm in the course of their occupation, other than formal firearms training.

(6) Individuals providing private security services or proprietary private investigative services are required to notify the POLU when they are arrested or have any criminal court cases pending within five (5) days of the incident. The following information must be provided within five (5) days of the occurrence of each of the following: the original arrest charge, any additional charge, the conviction, plea of guilty or no contest, jurisdiction where the arrest occurred and where the conviction, plea of guilty or no contest, sentence, fine, or probationary conditions if applicable.

(7) No person licensed under these provisions shall divulge to any unauthorized person or company any information or knowledge received from the department or any source when the divulgence would be detrimental to effective law enforcement. Under no circumstances may any records received from the department, whether generated by computer or otherwise, be accessed for personal use.

(8) The chief of police or his/her designee may impose a fine, order probation, order a suspension, or revoke a license of any company granted under section 84.720, RSMo pursuant to the procedures set forth in section (10) of this rule, when there exists information that the licensee or, if the licensee is an organization, any of its officers, directors, partners, or associates has

(A) Failed to meet the qualifications in 17 CSR 10 2.020(3);

(B) Failed to maintain the physical and mental standards required of department police officers;

(C) Failed to understand and perform the duties and responsibilities of a licensee;

(D) Been convicted of, or pled guilty or no contest to, a felony, a misdemeanor, or an ordinance violation (other than a minor traffic violation) in federal, state, or municipal court;

(E) For armed licensees, been named as the respondent in a full order of protection currently in effect issued after a hearing by a court of competent jurisdiction;

(F) Failed to meet the standards as set out herein;

(G) Failed to cooperate fully with the department in any matter;

(H) Made a false statement or given any false information in connection with an investigation by the POLU or the department;

(I) Provided other facts or actions which demonstrate that the applicant is unsuitable or ineligible to continue to hold a license or lacks good moral character;

(J) Being terminated from or resigning under investigation or threat of discharge from the department shall make an individual ineligible for a license, but s/he may appeal to the board pursuant to the appeal process contained in this chapter; and

(K) Committed or permitted any employee or agent to work with out a license issued by the board or with an expired license.

(9) Any fine imposed by the chief of police shall not exceed the sum

of ten thousand dollars (\$10,000) for each violation. No suspension shall exceed ninety (90) days except that a suspension which is challenged and pending before a court of competent jurisdiction will continue in effect until a final judgment by a court of competent jurisdiction unless the court has issued a stay.

(10) When the chief of police or his/her designee determines that a license granted pursuant to section 84.720, RSMo shall be suspended or revoked, the following procedures shall apply:

(A) Notice of fine, probation, suspension, or revocation shall be mailed to the licensee and their company at the address maintained in the Private Officers Licensing Unit (POLU);

(B) Notice of suspension or revocation shall be signed by the chief of police or his/her designee and shall indicate

1. The decision to suspend or revoke;
2. The reason(s);
3. Duration of the suspension, if determinable;
4. Condition of reinstatement, if any; and
5. A description of the appeal process;

(C) Upon receipt of a notice of fine, probation, suspension, or revocation, the individual or organization affected may request a review of the action of the POLU by filing a notice of appeal, in writing, with the POLU within thirty (30) business days of the dated written notification of suspension or revocation at 635 Woodland, Suite 2104, Kansas City, MO 64106;

(D) In the case of an appeal, the discipline initially assessed will continue in effect until and unless it is reversed, increased, or otherwise amended, including the imposition of additional conditions of probation, by the board;

(E) In the event of an appeal, the case shall be submitted to the board solely on the record. The record shall consist of all documentary evidence obtained by or submitted to the POLU by the parties, any agreed upon statement of the case agreed to by all the parties, and the legal briefs as might be filed by the parties or their representatives. Investigatory, criminal, psychological, and medical records of an appellant as requested by the board, are subject to review. Individuals or organizations denied a license upon application may appeal to board pursuant to this section; and

(F) The chief of police or his/her designee may place a licensee on probation in lieu of a fine, suspension, or revocation, with such terms as the chief of police or his/her designee shall deem reasonable under the circumstances.

AUTHORITY: section 84.720, RSMo 2016. Original rule filed Dec. 5, 1979, effective March 17, 1980. For intervening history, please consult the Code of State Regulations. Rescinded and readopted: Filed March 1, 2021.

PUBLIC COST: This proposed rule will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed rule will cost private entities two thousand dollars (\$2,000) in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed rule with the Board of Police Commissioners of Kansas City, Missouri, 1125 Locust St., Kansas City, Missouri 64106. To be considered, comments must be received within thirty (30) days after publication of this notice in the Missouri Register. No public hearing is scheduled.

**FISCAL NOTE
PRIVATE COST**

- I. Department Title: 17
Division Title: 10
Chapter Title: 2**

| | |
|-------------------------------|---|
| Rule Number and Title: | 17 CSR 10-2.060 – Regulation, Suspension and Revocation |
| Type of Rulemaking: | Proposed Rule |

II. SUMMARY OF FISCAL IMPACT

| Estimate of the number of entities by class which would likely be affected by the adoption of the rule: | Classification by types of the business entities which would likely be affected: | Estimate in the aggregate as to the cost of compliance with the rule by the affected entities: |
|---|--|--|
| 2 | Companies | \$2000.00 |
| Total | | \$2000.00 |

III. WORKSHEET

Under this rule the Chief of Police or his/her designee may impose a fine up to ten thousand dollars (\$10,000.00) for certain enumerated violations on company licenses.

As to company licenses, two (2) companies on average are fined per year and that an average fine of one thousand dollars (\$1000.00) might be imposed. This makes the total fiscal impact to companies approximately two thousand dollars (\$2000.00).

IV. ASSUMPTIONS

These figures assume that Board is correct about the number of companies who will violate the Board's rules and that fines would be assessed in these estimated amounts. Board might, in any given case, choose to increase or decrease the amount of the fine depending on the nature and severity of the rule violation or impose no fine at all.

**Title 20—DEPARTMENT OF COMMERCE AND
INSURANCE
Division 2255—Missouri Board for Respiratory Care
Chapter 1—General Rules**

PROPOSED AMENDMENT

20 CSR 2255-1.030 Complaint Handling and Disposition. The board is amending section (5).

PURPOSE: This amendment allows the board to take disciplinary action for failure to respond to a board request or inquiry.

(5) Each complaint received under this rule shall be acknowledged in writing. **Failure of a licensee to respond in writing, within thirty (30) days from the date of the board's written request or inquiry, mailed to the licensee's address currently registered with the board, will be sufficient grounds for taking disciplinary action against that licensee.** The complainant and licensee or permit holder shall be notified of the ultimate disposition of the complaint.

AUTHORITY: sections 334.800, 334.840.2, and 334.850 [and 620.010.15(6)], RSMo [Supp. 1997] 2016. This rule originally filed as 4 CSR 255 1.030. Emergency rule filed June 25, 1998, effective July 6, 1998, expired Feb. 25, 1999. Original rule filed June 25, 1998, effective Jan. 30, 1999. Moved to 20 CSR 2255 1.030, effective Aug. 28, 2006. Amended: Filed Feb. 18, 2021.

PUBLIC COST: This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.

*NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with the Missouri Board for Respiratory Care, Attention: Vanessa Beauchamp, PO Box 1335, Jefferson City, MO 65102, by facsimile to (573) 526 3489, or via email to rcp@pr.mo.gov. To be considered, comments must be received within thirty (30) days after publication of this notice in the **Missouri Register**. No public hearing is scheduled.*

This section will contain the final text of the rules proposed by agencies. The order of rulemaking is required to contain a citation to the legal authority upon which the order of rulemaking is based; reference to the date and page or pages where the notice of proposed rulemaking was published in the *Missouri Register*; an explanation of any change between the text of the rule as contained in the notice of proposed rulemaking and the text of the rule as finally adopted, together with the reason for any such change; and the full text of any section or subsection of the rule as adopted which has been changed from that contained in the notice of proposed rulemaking. The effective date of the rule shall be not less than thirty (30) days after the date of publication of the revision to the *Code of State Regulations*.

The agency is also required to make a brief summary of the general nature and extent of comments submitted in support of or opposition to the proposed rule and a concise summary of the testimony presented at the hearing, if any, held in connection with the rulemaking, together with a concise summary of the agency's findings with respect to the merits of any such testimony or comments which are opposed in whole or in part to the proposed rule. The ninety-(90-) day period during which an agency shall file its Order of Rulemaking for publication in the *Missouri Register* begins either: 1) after the hearing on the Proposed Rulemaking is held; or 2) at the end of the time for submission of comments to the agency. During this period, the agency shall file with the secretary of state the order of rulemaking, either putting the proposed rule into effect, with or without further changes, or withdrawing the proposed rule.

Title 11—DEPARTMENT OF PUBLIC SAFETY Division 30—Office of the Director Chapter 17—Technical Standards for Criminal Justice Information Sharing

ORDER OF RULEMAKING

By the authority vested in the director of the Department of Public Safety under section 43.509, RSMo Supp. 2020, the director of the Department of Public Safety adopts a rule as follows:

11 CSR 30 17.010 is adopted.

A notice of proposed rulemaking containing the text of the proposed rule was published in the *Missouri Register* on November 2, 2020 (45 MoReg 1658 1659). Those sections with changes are reprinted here. The proposed rule becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: The director received three (3) comments on the proposed rule.

COMMENT #1: Kylie M. Dickneite, with the Office of Homeland Security, noted that in paragraph (2)(F)2., the word “purposed” should be “purposes.”

RESPONSE AND EXPLANATION OF CHANGE: This error is typographical and will be corrected in the final rule.

COMMENT #2: Steve White, assistant division director of the Criminal Justice Information Services Division of the Missouri State Highway Patrol, requested that subsection (1)(A) be reworded to refer to a “Criminal Justice Information Services (CJIS) Systems

Agency (CSA).” in order to accurately define this term.

RESPONSE AND EXPLANATION OF CHANGE: Staff agrees and this change will be made in the final rule.

COMMENT #3: Steve White, assistant division director of the Criminal Justice Information Services Division of the Missouri State Highway Patrol, requested that the definition in paragraph (1)(B)2. of this rule be reworded to as follows, in order to reflect the federal definition of “criminal justice agency”: “2. A governmental agency or any subunit thereof that performs the administration of criminal justice, as defined in Title 28, Part 20.3 of the Code of Federal Regulations (CFR), pursuant to a statute or federal executive order.”

RESPONSE AND EXPLANATION OF CHANGE: In order to reflect the definition of “criminal justice agency” contained in 28 C.F.R. section 20.3(g), DPS will use the current definition of “criminal justice agency” in the final version of this rule.

11 CSR 30-17.010 Definitions and Technical Standards for Information Sharing

(1) Definitions.

(A) Central Vendor File (CVF) The Criminal Justice Information Services (CJIS) Systems Agency (CSA) maintains a Central Vendor File (CVF) that contains vendor information for vendors and vendor staff who have met the latest Federal Bureau of Investigation (FBI) CJIS security policy requirements to handle Criminal Justice Information (CJI) and who the Criminal Records and Justice Information Advisory Committee (CRJIAC) certifies as compliant with the state of Missouri’s information standards contained in this rule. The CVF will contain information about CJI sharing systems that have been certified, and versions of said products, that have been certified.

(B) Criminal justice agency means

1. Courts; and

2. A governmental agency or any subunit thereof that performs the administration of criminal justice pursuant to a statute or executive order, and that allocates a substantial part of its annual budget to the administration of criminal justice. State and federal inspector general offices are included.

(2) Technical Standards for Information Sharing.

(F) Adoption of standards for CJI interfaces and CJI sharing.

1. In general, CRJIAC may adopt or recommend to the director the existing national standards for CJI interfaces and CJI sharing, unless a national standard does not exist or the existing national standard deviates from a previously approved state standard. In those cases where a national standard does not exist or CRJIAC determines that the national standard is not aligned with the established state standard, providers shall use the NIEF and NIEM standards for the exchange and securing of CJI.

2. CRJIAC may recommend the standards for CJI interfaces related to those purposes described under subsection (2)(A). The director may adopt the recommended standard, and the CSA shall place the recommended standards on file.

Title 12—DEPARTMENT OF REVENUE Division 10—Director of Revenue Chapter 25—Motor Vehicle Financial Responsibility

ORDER OF RULEMAKING

By the authority vested in the director of revenue under section 32.065, RSMo 2016, the director amends a rule as follows:

12 CSR 10-25.150 Financial Responsibility Sampling is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on December 1, 2020 (45 MoReg 1879 1880). No changes have been made in the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 12—DEPARTMENT OF REVENUE
Division 10—Director of Revenue
Chapter 41—General Tax Provisions**

ORDER OF RULEMAKING

By the authority vested in the director of revenue under section 32.065, RSMo 2016, the director amends a rule as follows:

12 CSR 10-41.010 Annual Adjusted Rate of Interest is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on December 1, 2020 (45 MoReg 1880 1882). No changes have been made in the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 12—DEPARTMENT OF REVENUE
Division 10—Director of Revenue
Chapter 102—Sales/Use Tax—Taxpayers Rights**

ORDER OF RULEMAKING

By the authority vested in the director of revenue under section 32.065, RSMo 2016, the director amends a rule as follows:

12 CSR 10-102.100 Bad Debts Credit or Refund is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on December 1, 2020 (45 MoReg 1883). No changes have been made in the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 16—RETIREMENT SYSTEMS
Division 20—Missouri Local Government Employees'
Retirement System (LAGERS)
Chapter 2—Administrative Rules**

ORDER OF RULEMAKING

By the authority vested in the Missouri Local Government Employees' Retirement System (LAGERS) under section 70.605.21, RSMo 2016, the Retirement System amends a rule as follows:

16 CSR 20-2.010 Definitions is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on December 15, 2020 (45 MoReg 1967). No changes have been made in the text of

the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 16—RETIREMENT SYSTEMS
Division 20—Missouri Local Government Employees'
Retirement System (LAGERS)
Chapter 2—Administrative Rules**

ORDER OF RULEMAKING

By the authority vested in the Missouri Local Government Employees' Retirement System (LAGERS) under sections 70.605.16 and 70.605.21, RSMo 2016, the Retirement System amends a rule as follows:

16 CSR 20-2.085 Disability Retirement Applications and Other Relief is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on December 15, 2020 (45 MoReg 1967 1968). No changes have been made in the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 20—DEPARTMENT OF COMMERCE
AND INSURANCE
Division 2010—Missouri State Board of Accountancy
Chapter 2—General Rules**

ORDER OF RULEMAKING

By the authority vested in the Missouri State Board of Accountancy under section 326.262, RSMo 2016, the board amends a rule as follows:

20 CSR 2010 2.041 is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on December 1, 2020 (45 MoReg 1897 1899). Those sections with changes are reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: The board received two (2) comments on the proposed amendment.

COMMENT #1: Missouri State Board of Accountancy staff commented on the amendment as the Missouri State Board of Accountancy met on December 3, 2020. At this meeting, the board was updated on the recently finalized changes to the Uniform Accountancy Act (UAA) Model Education Requirement. This recent update included a recommendation that all Boards of Accountancy conduct transcript reviews regardless of the accreditation status of colleges/universities. This aspect of the updated UAA conflicted with the proposed amendment as the board's rule did not require the board to review transcripts when a college/university had certain, defined accreditations.

At this meeting, it was also recommended to include in this rule the language currently in 20 CSR 2010 2.061 regarding the maximum number of semester credit hours of formal, supervised internships and independent study in the areas of accounting or business.

The purpose of this language addition would be to provide clarity and ensure all educational requirements were in one (1) rule.

The board also discussed minor changes that provided clarity to the rule and corrected the name of one type of accreditation which recently had an official name change.

RESPONSE AND EXPLANATION OF CHANGE: The board voted to revise the proposed amendment to require the board conduct transcript reviews, however, the board could recognize specialized accreditation. The board agreed that the minor revisions, including clarification on the accrediting type name change, were appropriate. The board agreed the language currently in 20 CSR 2010 2.061 regarding the maximum number of internships/independent study be included in this rule.

COMMENT #2: Christopher McCullick, CPA stated that he believes that all college curriculums should have proper scrutiny to ensure students are adequately prepared. His concern is that smaller colleges with restricted budgets may experience monetary hurdles to allow for enhanced accrediting designations even though the quality of their teaching and staff may be excellent.

RESPONSE AND EXPLANATION OF CHANGE: The board voted to revise the proposed amendment to require the board conduct transcript reviews; however, the board could recognize specialized accreditation, but the accreditation type would not provide a bypass of the board review of the transcript.

20 CSR 2010-2.041 Eligibility Requirements for the CPA Examination

(2) The equivalent of a concentration in accounting shall be determined in the following manner:

(B) For candidates whose applications for initial examination are received on or after June 30, 2021, the concentration in accounting shall include a total of at least forty eight (48) semester hours, including a minimum of twenty four (24) semester hours of accounting and twenty four (24) semester hours of business courses. These courses shall be taken at an accredited college or university recognized by the board.

1. Accounting courses should include some or all of the following:

- A. Accounting information systems;
- B. Accounting research and analysis;
- C. Attestation engagements;
- D. Data analytics, data interrogation techniques, and/or digital acumen in an accounting context, whether taken in the business school or in another college or university program, such as the engineering, computer science, or math programs;
- E. Ethics (accounting course);
- F. Financial accounting and reporting for business organizations;
- G. Financial accounting and reporting for government and not for profit entities;
- H. Financial statement analysis;
- I. Financial statement auditing;
- J. Formal independent study;
- K. Formal internships;
- L. Fraud examination;
- M. Internal controls and risk assessment;
- N. Managerial or cost accounting;
- O. Mergers and acquisitions;
- P. Tax and financial planning;
- Q. Taxation;
- R. Tax Research and analysis; or
- S. Other accounting related content areas included in the Uniform CPA Examination Blueprints or as may be approved by the board.

2. Business courses should include some or all of the following:

- A. Business communications;

B. Business law;

C. Data analytics, data interrogation techniques, and/or digital acumen, whether taken in the business school or in another college or university program, such as the engineering, computer science, or math programs;

D. Economics;

E. Ethics (business course);

F. Finance;

G. Formal independent study;

H. Formal internships;

I. Information systems or technology;

J. Management;

K. Marketing;

L. Quantitative methods;

M. Statistics; or

N. Other business related content areas included in the Uniform CPA Examination Blueprints or as may be approved by the board.

3. Of the forty eight (48) semester hours, a maximum of nine (9) semester credit hours may be from formal, supervised internships or independent study in the areas of accounting and business in undergraduate and/or graduate level courses.

(4) The board may also recognize specialized accreditations which meet or exceed the accreditation standards of the Association to Advance Collegiate Schools of Business International (AACSB) or Accreditation Council for Business Schools and Programs (ACBSP).

(5) The board, or its designee, will complete a transcript review. In reviewing transcripts, the board may rely on the accreditation to assess the overall quality of the educational institutions. An applicant shall produce transcripts and any other course information as the board may request in order to determine education hours, including acceptable instructions, quality, and concentration in accounting.

(6) Quarter credit hours may be converted to semester credit hours by multiplying quarter credit hours by two thirds ($\frac{2}{3}$). For example, thirty six (36) quarter hours are equal to twenty four (24) semester credit hours.

(7) The board may in its discretion allow any applicant to take the examination; however, approval to take the exam shall not create any presumption that the applicant is fit for licensure nor otherwise prohibit the board from exercising its discretion in considering an application for licensure as set forth in section 326.310, RSMo.

(8) The provisions of this rule are declared severable. If any provision of this rule is held invalid by a court of competent jurisdiction, the remaining provisions of this rule shall remain in full force and effect, unless otherwise determined by a court of competent jurisdiction to be invalid.

Title 20—DEPARTMENT OF COMMERCE AND INSURANCE Division 2010—Missouri State Board of Accountancy Chapter 2—General Rules

ORDER OF RULEMAKING

By the authority vested in the Missouri State Board of Accountancy under section 326.262, RSMo 2016, the board amends a rule as follows:

20 CSR 2010-2.061 Requirements for an Initial License to Practice is amended.

A notice of proposed rulemaking containing the text of the proposed

amendment was published in the *Missouri Register* on December 1, 2020 (45 MoReg 1899 1901). No changes have been made in the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: The board received one (1) comment letter on the proposed amendment.

COMMENT #1: Christopher McCullick, CPA stated that the “proposed 20 CSR 2010 2.061(2) rule states that those applicants who apply for licensure on or after 6/30/21 must meet this new 9 hour limitation. The primary concern with implementing this portion of the rule change in this manner is that there is no transition period or grandfathering in of licensure applicants who are currently taking the CPA exam, those who have passed the CPA exam but have not yet met their one year experience requirement to apply for their license, or those who will apply to sit for the CPA exam prior to 6/30/21. As this is a new restriction (i.e. currently, there is NO limitation in MO on the number of internship or independent study hours that may be used to count towards one’s 150 hour requirement) and the educational requirements in MO to sit for the CPA exam have historically been the same as those needed for CPA licensure application, implementation of this restriction in this manner (without a grandfathering process or transition period) creates an unfair burden to those who have already met CPA Exam eligibility requirements under the current rules.”

RESPONSE: The board recognizes this transition may be difficult; however, the rule change is necessitated by changes in statute for education hours required to sit for the examination (326.277 RSMo) with the effective date of June 30, 2021. The effective date within this rule amendment is designed to align with the date of the statute. In addition, the Missouri Board of Accountancy strives to align their rules with the standards outlined in the Uniform Accountancy Act (UAA), which are standards set by the American Institute of CPAs (AICPA) and National Association of State Boards of Accountancy (NASBA) and are designed to provide a uniform approach to regulation of the accounting profession. These guidelines provide that the maximum allowed internship/independent study be no more than nine (9) hours. The board determined this rule amendment should not be changed in light of the statutory effective date of June 30, 2021 in section 326.277, RSMo. the UAAs cap of nine (9) hours for these programs, and prior discussions with Missouri educators and MOCPA representatives.

COMMENT #2: In addition, commenter further questions the need to limit the number of semester hours for internship/independent study. If the board believes a limit is necessary, he would recommend that the maximum allowed be changed to twelve (12) semester hours. **RESPONSE:** The limit on internship/independent study programs was developed after significant discussion with Missouri educators and representatives from Missouri Association of CPAs (MOCPA). Based upon these discussions and representations, the board does not anticipate students to face a hurdle to sit for the examination or otherwise be eligible for licensure due to the cap on hours from these programs. Additionally, the board considers internship and independent study an important aspect to prepare a CPA for the profession, however, should be balanced with the importance of structured education hours which help prepare a student to succeed in the examination process and practice of the profession after graduation. Based on the input of many Missouri educators, the board anticipates little to no negative impact on students during the transition period but the board is authorized to approve applications to sit for the examination (e.g. grant a waiver) if there are exceptional or unusual circumstances under current rule 20 CSR 2010 2.041(7). No changes have been made to the amendment as a result of this comment.

COMMENT #3: Commenter noted concern that the proposed

amendment change for applicants who apply for licensure on or after June 30, 2021 must effectively complete thirty (30) hours of business courses (three (3) additional semester hours from previous rule). He noted that without a transition period or grandfather clause in the process, applicants who apply for the CPA exam prior to June 30, 2021 but apply for licensure on or after June 30, 2021, could effectively be required to return to school to complete additional business courses.

RESPONSE: The board respects and appreciates the issues brought by this commenter, however, to ensure standardization with professional standards, the board determined that it will not increase or eliminate the internship/independent study semester hour maximum allowed numbers. Adding grandfather clauses to rules tend to increase the complexity of interpretation of rules and the board prefers to avoid additional complexity in rule amendments and best practices are to avoid additional complexity in rule amendments. No changes have been made to the amendment as a result of this comment.

Title 20—DEPARTMENT OF COMMERCE AND INSURANCE

Division 2010—Missouri State Board of Accountancy Chapter 4—Continuing Education Requirements

ORDER OF RULEMAKING

By the authority vested in the Missouri State Board of Accountancy under section 326.262, RSMo 2016, the board amends a rule as follows:

20 CSR 2010-4.020 Qualifying Programs is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on December 1, 2020 (45 MoReg 1901). No changes have been made in the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

Title 20—DEPARTMENT OF COMMERCE AND INSURANCE

Division 2010—Missouri State Board of Accountancy Chapter 4—Continuing Education Requirements

ORDER OF RULEMAKING

By the authority vested in the Missouri State Board of Accountancy under section 326.262, RSMo 2016, the board amends a rule as follows:

20 CSR 2010-4.031 Continuing Professional Education (CPE) Documentation is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on December 1, 2020 (45 MoReg 1901 1902). No changes have been made in the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 20—DEPARTMENT OF COMMERCE AND
INSURANCE**

**Division 2220—State Board of Pharmacy
Chapter 2—General Rules**

ORDER OF RULEMAKING

By the authority vested in the Missouri Board of Pharmacy under sections 338.100 and 338.280, RSMo 2016, and section 338.140, RSMo Supp. 2020, the board amends a rule as follows:

20 CSR 2220 2.120 is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on December 1, 2020 (45 MoReg 1903). Those sections with changes are reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: The board received one (1) comment on the proposed amendment regarding patient transfer requests.

COMMENT #1: Board of Pharmacy staff submitted a comment regarding interpretation of the one (1) business day transfer request. Staff suggested the board clarify that the one (1) business day rule applies to transfer requests received directly from the patient or the patient's caregiver.

RESPONSE AND EXPLANATION OF CHANGE: The board agrees with the comment and has modified the rule as proposed.

20 CSR 2220-2.120 Transfer of Prescription or Medication Order Information

(5) A prescription or medication order must be transferred within one (1) business day of receiving a transfer request directly from a patient or their caretaker. All other transfer requests must be completed in a timely manner, provided licensees/permit holders shall ensure no interruption in patient therapy.

**Title 20—DEPARTMENT OF COMMERCE AND
INSURANCE**

**Division 2235—State Committee of Psychologists
Chapter 1—General Rules**

ORDER OF RULEMAKING

By the authority vested in the State Committee of Psychologists under section 337.050, RSMo Supp. 2020, the committee amends a rule as follows:

20 CSR 2235-1.020 Fees is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on December 15, 2020 (45 MoReg 1968 1969). No changes have been made in the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 20—DEPARTMENT OF COMMERCE AND
INSURANCE**

**Division 2235—State Committee of Psychologists
Chapter 1—General Rules**

ORDER OF RULEMAKING

By the authority vested in the State Committee of Psychologists

under section 337.050, RSMo Supp. 2020, the committee amends a rule as follows:

20 CSR 2235 1.025 is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on December 15, 2020 (45 MoReg 1970). Those sections with changes are reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: The board received one (1) comment.

COMMENT #1. Staff noted in newly numbered section (7) that the reference to section (7) should be changed to read section (6).

RESPONSE AND EXPLANATION OF CHANGE: The committee agrees and has amended section (7).

20 CSR 2235-1.025 Application for Provisional Licensure

(7) Except as noted in section (6) hereof, the committee shall not accept, or recognize, as counting towards the required period of post degree supervision, any time during which the provisional licensee may have been or was providing psychological services under the supervision of some person prior to the time the identity of such person had first been disclosed by the timely filing of a revised and/or amended plan of post degree supervision.

**Title 20—DEPARTMENT OF COMMERCE AND
INSURANCE**

**Division 2235—State Committee of Psychologists
Chapter 1—General Rules**

ORDER OF RULEMAKING

By the authority vested in the State Committee of Psychologists under section 337.050, RSMo Supp. 2020, the committee amends a rule as follows:

20 CSR 2235-1.026 Application for Temporary Licensure is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on December 15, 2020 (45 MoReg 1970 1971). No changes have been made in the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 20—DEPARTMENT OF COMMERCE AND
INSURANCE**

**Division 2235—State Committee of Psychologists
Chapter 1—General Rules**

ORDER OF RULEMAKING

By the authority vested in the State Committee of Psychologists under section 337.050, RSMo Supp. 2020, the committee amends a rule as follows:

20 CSR 2235-1.030 Application for Licensure is amended.

A notice of proposed rulemaking containing the text of the proposed

amendment was published in the *Missouri Register* on December 15, 2020 (45 MoReg 1971). No changes have been made in the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 20—DEPARTMENT OF COMMERCE AND
INSURANCE
Division 2235—State Committee of Psychologists
Chapter 1—General Rules**

ORDER OF RULEMAKING

By the authority vested in the State Committee of Psychologists under section 337.050, RSMo Supp. 2020, the committee amends a rule as follows:

20 CSR 2235-1.031 Application for Health Service Provider
Certification **is amended**.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on December 15, 2020 (45 MoReg 1971 1972). No changes have been made in the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

This section may contain notice of hearings, correction notices, public information notices, rule action notices, statements of actual costs, and other items required to be published in the *Missouri Register* by law.

**Title 19—DEPARTMENT OF HEALTH AND
SENIOR SERVICES
Division 60—Missouri Health Facilities
Review Committee
Chapter 50—Certificate of Need Program**

**NOTIFICATION OF REVIEW:
APPLICATION REVIEW SCHEDULE**

The Missouri Health Facilities Review Committee has initiated review of the CON application listed below. A decision is tentatively scheduled for April 21, 2021. This application is available for public inspection at the address shown below.

Date Filed

Project Number: Project Name
City (County)
Cost, Description

3/10/2021

#5850 RT: Cedarhurst of Tesson Heights
St. Louis (St. Louis County)
\$5,265,500, Renovate/Modernize existing 79 bed ALF

Any person wishing to request a public hearing for the purpose of commenting on this application must submit a written request to this effect, which must be received by April 10, 2021. All written requests and comments should be sent to

Chairman
Missouri Health Facilities Review Committee
c/o Certificate of Need Program
3418 Knipp Drive, Suite F
PO Box 570
Jefferson City, MO 65102
For additional information contact Alison Dorge at
alison.dorge@health.mo.gov.

The Secretary of State is required by sections 347.141 and 359.481, RSMo, to publish dissolutions of limited liability companies and limited partnerships. The content requirements for the one-time publishing of these notices are prescribed by statute. This listing is published pursuant to these statutes. We request that documents submitted for publication in this section be submitted in camera ready 8 1/2" x 11" manuscript by email to adrules.dissolutions@sos.mo.gov.

**NOTICE OF DISSOLUTION OF LIMITED LIABILITY COMPANY
TO ALL CREDITORS OF AND CLAIMANTS AGAINST
KINDRED PROPERTIES, LLC**

On December 4, 2020, Kindred Properties, LLC, a Missouri limited liability company, filed its Notice of Winding Up for Limited Liability Company with the Missouri Secretary of State.

Said limited liability company requests that all persons and organizations who have claims against it present them by letter immediately to the company in care of: Rick J. Muenks, Attorney at Law, 3041 S. Kimbrough Avenue, Suite 106, Springfield, Missouri 65807. Claims must include name and address of claimant; amount of claim; basis of claim; and documentation of claim. Pursuant to Section 347.141 RSMo, any claim against Kindred Properties, LLC, will be barred unless a proceeding to enforce the claim is commenced within three years after the publication of this notice.

**NOTICE OF DISSOLUTION OF LIMITED LIABILITY COMPANY
TO ALL CREDITORS OF AND CLAIMANTS AGAINST
SERRANO, LLC**

On December 4, 2020, Serrano, LLC, a Missouri limited liability company, filed its Notice of Winding Up for Limited Liability Company with the Missouri Secretary of State.

Said limited liability company requests that all persons and organizations who have claims against it present them by letter immediately to the company in care of: Rick J. Muenks, Attorney at Law, 3041 S. Kimbrough Avenue, Suite 106, Springfield, Missouri 65807. Claims must include name and address of claimant; amount of claim; basis of claim; and documentation of claim. Pursuant to Section 347.141 RSMo, any claim against Serrano, LLC, will be barred unless a proceeding to enforce the claim is commenced within three years after the publication of this notice.

**NOTICE OF DISSOLUTION OF LIMITED LIABILITY COMPANY
TO ALL CREDITORS OF AND CLAIMANTS AGAINST
OZARKS PROPERTY MANAGEMENT, LLC**

On December 4, 2020, Ozarks Property Management, LLC, a Missouri limited liability company, filed its Notice of Winding Up for Limited Liability Company with the Missouri Secretary of State.

Said limited liability company requests that all persons and organizations who have claims against it present them by letter immediately to the company in care of: Rick J. Muenks, Attorney at Law, 3041 S. Kimbrough Avenue, Suite 106, Springfield, Missouri 65807. Claims must include name and address of claimant; amount of claim; basis of claim; and documentation of claim. Pursuant to Section 347.141 RSMo, any claim against Ozarks Property Management, LLC, will be barred unless a proceeding to enforce the claim is commenced within three years after the publication of this notice.

**NOTICE OF DISSOLUTION OF LIMITED LIABILITY COMPANY
TO ALL CREDITORS OF AND CLAIMANTS AGAINST
OZARKS PUBLISHING, LLC**

On December 4, 2020, Ozarks Publishing, LLC, a Missouri limited liability company, filed its Notice of Winding Up for Limited Liability Company with the Missouri Secretary of State.

Said limited liability company requests that all persons and organizations who have claims against it present them by letter immediately to the company in care of: Rick J. Muenks, Attorney at Law, 3041 S. Kimbrough Avenue, Suite 106, Springfield, Missouri 65807. Claims must include name and address of claimant; amount of claim; basis of claim; and documentation of claim. Pursuant to Section 347.141 RSMo, any claim against Ozarks Publishing, LLC, will be barred unless a proceeding to enforce the claim is commenced within three years after the publication of this notice.

**NOTICE OF DISSOLUTION TO ALL CREDITORS OF
AND CLAIMS AGAINST CHARGERS NORTHLAND, LLC**

On December 14, 2020, Chargers Northland, LLC, a Missouri limited liability company, filed its Articles of Dissolution with the Missouri Secretary of State.

You are hereby notified that if you believe you have a claim against Chargers Northland, LLC, you must submit a summary in writing of the circumstances surrounding your claim to Levy Craig Law Firm, Attn: Andrea L. Ridlen, 4520 Main Street, Suite 1600, Kansas City, MO 64111. The summary of your claim must include the following information: 1) The name, address, and telephone number of the claimant; 2) The amount of the claim; 3) The date on which the event on which the claim is based occurred; and 4) A brief description of the nature of the debt or the basis for the claim.

All claims against Chargers Northland, LLC will be barred unless the proceeding to enforce the claim is commenced within three (3) years after the publication of this Notice.

**NOTICE OF DISSOLUTION
OF LIMITED LIABILITY COMPANY
TO ALL CREDITORS AND CLAIMANTS AGAINST
TW LAND, LLC**

On February 22, 2021, TW Land, LLC, a Missouri limited liability company (hereinafter the "Company"), filed its Notice of Winding Up for Limited Liability Company with the Missouri Secretary of State.

You are hereby notified that if you believe you have a claim against TW Land, LLC, you must submit your claim in writing to: Gary K. Patton, Esq., Patton, Wagner and Associates, P.C., 114 Westwoods Dr., Liberty, Missouri 64068. Each claim must include the following information: (1) the name, address and telephone number of the claimant; (2) the amount of the claim; (3) the date on which the claim arose; (4) a brief description of the nature of the claim; and (5) any documentation in support of the claim.

All claims against the Company will be barred unless a proceeding to enforce the claim is commenced within three (3) years after the publication this notice.

**NOTICE OF WINDING UP TO ALL CLAIMANTS AGAINST
CAMDYN REAL ESTATE PARTNERS, LLC,
a Missouri Limited Liability Company**

On February 4, 2021, Camdyn Real Estate Partners, LLC, a Missouri limited liability company, filed its Notice of Winding Up with the Missouri Secretary of State. The notice of winding up of the limited liability company was effective on that date.

All claims must include: the name, address and telephone number of the claimant; the amount claimed; the basis of the claim; the date(s) on which the events occurred which provided the basis for the claim; and copies of any other supporting data. Claims should be in writing and mailed to Beckemeier LeMoine Law, 13421 Manchester Rd., Suite 103, St. Louis, MO 63131.

Any claim against Camdyn Real Estate Partners, LLC will be barred unless a proceeding to enforce the claim is commenced within two years after the publication of this notice.

**NOTICE OF DISSOLUTION TO ALL CREDITORS OF
AND CLAIMS AGAINST WOODS CHAPEL INVESTORS, LLC**

On December 31, 2020, Woods Chapel Investors, LLC, a Missouri limited liability company, filed its Articles of Dissolution with the Missouri Secretary of State.

You are hereby notified that if you believe you have a claim against Woods Chapel Investors, LLC, you must submit a summary in writing of the circumstances surrounding your claim to Levy Craig Law Firm, Attn: Jeff Bauer, 4520 Main Street, Suite 1600, Kansas City, MO 64111. The summary of your claim must include the following information: 1) The name, address, and telephone number of the claimant; 2) The amount of the claim; 3) The date on which the event on which the claim is based occurred; and 4) A brief description of the nature of the debt or the basis for the claim.

All claims against Woods Chapel Investors, LLC will be barred unless the proceeding to enforce the claim is commenced within Three (3) years after the publication of this Notice.

**NOTICE OF DISSOLUTION TO ALL CREDITORS OF
AND CLAIMS AGAINST SC INVESTORS PLATTE, LLC**

On December 31, 2020, SC Investors Platte, LLC, a Missouri limited liability company, filed its Articles of Dissolution with the Missouri Secretary of State.

You are hereby notified that if you believe you have a claim against SC Investors Platte, LLC, you must submit a summary in writing of the circumstances surrounding your claim to Levy Craig Law Firm, Attn: Jeff Bauer, 4520 Main Street, Suite 1600, Kansas City, MO 64111. The summary of your claim must include the following information: 1) The name, address, and telephone number of the claimant; 2) The amount of the claim; 3) The date on which the event on which the claim is based occurred; and 4) A brief description of the nature of the debt or the basis for the claim.

All claims against SC Investors Platte, LLC will be barred unless the proceeding to enforce the claim is commenced within Three (3) years after the publication of this Notice.

NOTICE OF DISSOLUTION OF CORPORATION

NOTICE OF DISSOLUTION TO ALL UNKNOWN CREDITORS OF AND UNKNOWN CLAIMANTS AGAINST NORTH GASCONADE COUNTY HEALTHCARE, INC., a Missouri General Business Corporation.

On February 18, 2021, NORTH GASCONADE COUNTY HEALTHCARE, INC. ("Corporation"), a Missouri General Business Corporation, filed its Articles of Dissolution by Voluntary Action for a General Business Corporation with the Missouri Secretary of State. Dissolution is effective as of January 15, 2021.

The Corporation requests that all persons and organizations with claims against it present them immediately by letter to the Corporation at P.O. Box 1251, Jefferson City MO 65102-1251.

All claims must include: the name and address of the claimant; the amount claimed; the basis for the claim; and the date(s) on which the event(s) on which the claim is based occurred.

Because of the dissolution of the Corporation, any claims against it will be barred unless a proceeding to enforce the claim is commenced within two (2) years after the publication date of the two notices authorized by statute, whichever is published last.

Cathy Lloyd, President

NOTICE OF DISSOLUTION OF CORPORATION

NOTICE OF DISSOLUTION TO ALL UNKNOWN CREDITORS OF AND UNKNOWN CLAIMANTS AGAINST LLOYD HEALTHCARE MANAGEMENT SYSTEMS, INC., a Missouri General Business Corporation.

On February 18, 2021, LLOYD HEALTHCARE MANAGEMENT SYSTEMS, INC. ("Corporation"), a Missouri General Business Corporation, filed its Articles of Dissolution by Voluntary Action for a General Business Corporation with the Missouri Secretary of State. Dissolution is effective as of January 15, 2021.

The Corporation requests that all persons and organizations with claims against it present them immediately by letter to the Corporation at P.O. Box 1251, Jefferson City MO 65102-1251.

All claims must include: the name and address of the claimant; the amount claimed; the basis for the claim; and the date(s) on which the event(s) on which the claim is based occurred.

Because of the dissolution of the Corporation, any claims against it will be barred unless a proceeding to enforce the claim is commenced within two (2) years after the publication date of the two notices authorized by statute, whichever is published last.

Cathy Lloyd, President

**NOTICE OF DISSOLUTION AND WINDING UP TO
ALL CREDITORS OF AND CLAIMANTS AGAINST
CUP OR CONE, LLC**

On October 8, 2020, Cup or Cone, LLC, a Missouri Limited Liability Company, filed its Notice of Winding Up with the Missouri Secretary of State and on February 2, 2021, filed its Articles of Termination with the Missouri Secretary of State. This dissolution is effective February 2, 2021. You are hereby notified that if you believe you have a claim against said company, you must submit in writing a summary of the circumstances surrounding your claim to the company c/o Richard L. Martin, 1104 Blueberry Lane, Liberty, Missouri, 64068-1315. The summary of your claim must contain the following information: 1. The name, address, and telephone number of the claimant; 2. The amount of the claim; 3. Basis for the claim; 4. The date on which the claim arose; 5. A brief description of the nature and basis for the claim; and 6. Documentation supporting the claim.

All claims against Cup or Cone, LLC will be barred unless a proceeding to enforce the claim is commenced within three years after publication of this notice.

**Notice of Winding Up of Limited Liability Company
To All Creditors and Claimants Against
Normandie 1901 LLC
Charter No. LC001428679**

On February 15, 2021, Normandie 1901 LLC, a Missouri Limited liability Company ("Company"), filed its Notice of Winding Up with the Missouri Secretary of State.

The company requests that any persons or organizations with claims against the company must present them in writing to:

James P. Bick, Jr.
Law Offices of James P. Bick, Jr. PC
28 Huntleigh Woods
St. Louis, MO 63131

All claims must include: 1) the name, address and telephone number of the claimant; 2) the amount of the claim; 3) the date(s) on which the claim is based; 4) a brief description of the nature of the debt or the basis for the claim and copies of any supporting documentation; 5) if the claim is secured, and if so, the collateral used as security.

All claims against Company will be barred unless a proceeding to enforce the claim is commenced within three years after the publication date of this notice.

NOTICE OF DISSOLUTION TO ALL CREDITORS OF AND CLAIMS AGAINST SC INVESTORS LEE'S SUMMIT, LLC

On December 31, 2020, SC Investors Lee's Summit, LLC, a Missouri limited liability company, filed its Articles of Dissolution with the Missouri Secretary of State.

You are hereby notified that if you believe you have a claim against SC Investors Lee's Summit, LLC, you must submit a summary in writing of the circumstances surrounding your claim to Levy Craig Law Firm, Attn: Jeff Bauer, 4520 Main Street, Suite 1600, Kansas City, MO 64111. The summary of your claim must include the following information: 1) The name, address, and telephone number of the claimant; 2) The amount of the claim; 3) The date on which the event on which the claim is based occurred; and 4) A brief description of the nature of the debt or the basis for the claim.

All claims against SC Investors Lee's Summit, LLC will be barred unless the proceeding to enforce the claim is commenced within Three (3) years after the publication of this Notice.

NOTICE OF DISSOLUTION TO ALL CREDITORS OF AND CLAIMS AGAINST WEST PRYOR VILLAGE, LLC

On December 31, 2020, West Pryor Village, LLC, a Missouri limited liability company, filed its Articles of Dissolution with the Missouri Secretary of State.

You are hereby notified that if you believe you have a claim against West Pryor Village, LLC, you must submit a summary in writing of the circumstances surrounding your claim to Levy Craig Law Firm, Attn: Jeff Bauer, 4520 Main Street, Suite 1600, Kansas City, MO 64111. The summary of your claim must include the following information: 1) The name, address, and telephone number of the claimant; 2) The amount of the claim; 3) The date on which the event on which the claim is based occurred; and 4) A brief description of the nature of the debt or the basis for the claim.

All claims against West Pryor Village, LLC will be barred unless the proceeding to enforce the claim is commenced within Three (3) years after the publication of this Notice.

Rule Changes Since Update to Code of State Regulations

This cumulative table gives you the latest status of rules. It contains citations of rulemakings adopted or proposed after deadline for the monthly Update Service to the *Code of State Regulations*, citations are to volume and page number in the *Missouri Register*, except for material in this issue. The first number in the table cite refers to the volume number or the publication year 43 (2018) and 44 (2019). MoReg refers to *Missouri Register* and the numbers refer to a specific *Register* page, R indicates a rescission, W indicates a withdrawal, S indicates a statement of actual cost, T indicates an order terminating a rule, N.A. indicates not applicable, RAN indicates a rule action notice, RUC indicates a rule under consideration, and F indicates future effective date.

| Rule Number | Agency | Emergency | Proposed | Order | In Addition |
|---|--|--------------|----------------|---------------|---------------|
| OFFICE OF ADMINISTRATION | | | | | |
| 1 CSR 10 | State Officials' Salary Compensation Schedule | | | | 45 MoReg 1926 |
| 1 CSR 10 15.010 | Commissioner of Administration | 46 MoReg 109 | 46 MoReg 187 | | |
| 1 CSR 20 5.020 | Personnel Advisory Board and Division of Personnel | 46 MoReg 39T | | | |
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| 2 CSR 30 10.010 | Animal Health | 46 MoReg 393 | 46 MoReg 397 | | |
| 2 CSR 80 2.190 | State Milk Board | | 45 MoReg 1564 | 46 MoReg 361 | |
| 2 CSR 80 3.001 | State Milk Board | | 45 MoReg 1657 | 46 MoReg 51I | |
| 2 CSR 80 3.010 | State Milk Board | | 45 MoReg 1657R | 46 MoReg 51IR | |
| 2 CSR 80 3.020 | State Milk Board | | 45 MoReg 1955 | | |
| 2 CSR 80 3.030 | State Milk Board | | 45 MoReg 1955 | | |
| 2 CSR 80 3.040 | State Milk Board | | 45 MoReg 1956 | | |
| 2 CSR 80 3.050 | State Milk Board | | 45 MoReg 1658R | 46 MoReg 51IR | |
| 2 CSR 80 3.060 | State Milk Board | | 45 MoReg 1956 | | |
| 2 CSR 80 3.070 | State Milk Board | | 45 MoReg 1957 | | |
| 2 CSR 80 3.080 | State Milk Board | | 45 MoReg 1959 | | |
| 2 CSR 80 3.120 | State Milk Board | | 45 MoReg 1658R | 46 MoReg 51IR | |
| DEPARTMENT OF CONSERVATION | | | | | |
| 3 CSR 10 4.111 | Conservation Commission | | 46 MoReg 397 | | |
| 3 CSR 10 4.135 | Conservation Commission | | 46 MoReg 398 | | |
| 3 CSR 10 6.550 | Conservation Commission | | 46 MoReg 398 | | |
| 3 CSR 10 6.605 | Conservation Commission | | 46 MoReg 398 | | |
| 3 CSR 10 7.405 | Conservation Commission | | 46 MoReg 10 | | |
| 3 CSR 10 7.410 | Conservation Commission | | 46 MoReg 11 | | |
| 3 CSR 10 7.439 | Conservation Commission | | 46 MoReg 399 | | |
| 3 CSR 10 9.105 | Conservation Commission | | 46 MoReg 399 | | |
| 3 CSR 10 9.110 | Conservation Commission | | 46 MoReg 404 | | |
| 3 CSR 10 9.220 | Conservation Commission | | 46 MoReg 404 | | |
| 3 CSR 10 9.223 | Conservation Commission | | 46 MoReg 407 | | |
| 3 CSR 10 9.230 | Conservation Commission | | 46 MoReg 407 | | |
| 3 CSR 10 9.240 | Conservation Commission | | 46 MoReg 408 | | |
| 3 CSR 10 9.250 | Conservation Commission | | 46 MoReg 408 | | |
| 3 CSR 10 9.350 | Conservation Commission | | 46 MoReg 408 | | |
| 3 CSR 10 9.351 | Conservation Commission | | 46 MoReg 409 | | |
| 3 CSR 10 9.352 | Conservation Commission | | 46 MoReg 411 | | |
| 3 CSR 10 9.353 | Conservation Commission | | 46 MoReg 413 | | |
| 3 CSR 10 9.354 | Conservation Commission | | 46 MoReg 415 | | |
| 3 CSR 10 9.359 | Conservation Commission | | 46 MoReg 420 | | |
| 3 CSR 10 9.360 | Conservation Commission | | 46 MoReg 420 | | |
| 3 CSR 10 9.370 | Conservation Commission | | 46 MoReg 421 | | |
| 3 CSR 10 9.371 | Conservation Commission | | 46 MoReg 424 | | |
| 3 CSR 10 9.372 | Conservation Commission | | 46 MoReg 429 | | |
| 3 CSR 10 9.442 | Conservation Commission | | 46 MoReg 429 | | |
| 3 CSR 10 9.560 | Conservation Commission | | 46 MoReg 429 | | |
| 3 CSR 10 9.565 | Conservation Commission | | 46 MoReg 430 | | |
| 3 CSR 10 9.566 | Conservation Commission | | 46 MoReg 434 | | |
| 3 CSR 10 10.725 | Conservation Commission | | 46 MoReg 434 | | |
| 3 CSR 10 10.739 | Conservation Commission | | 46 MoReg 434 | | |
| 3 CSR 10 10.744 | Conservation Commission | | 46 MoReg 435 | | |
| 3 CSR 10 10.767 | Conservation Commission | | 46 MoReg 435 | | |
| 3 CSR 10 11.186 | Conservation Commission | | 46 MoReg 436 | | |
| 3 CSR 10 11.210 | Conservation Commission | | | 46 MoReg 467 | |
| 3 CSR 10 11.215 | Conservation Commission | | | 46 MoReg 467 | |
| 3 CSR 10 12.109 | Conservation Commission | | 46 MoReg 436 | | |
| 3 CSR 10 12.110 | Conservation Commission | | 46 MoReg 436 | | |
| 3 CSR 10 20.805 | Conservation Commission | | 46 MoReg 437 | | |
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| 5 CSR 20 100.230 | Division of Learning Services | | 45 MoReg 1067 | 45 MoReg 1913 | |
| | | | 46 MoReg 47 | | |
| 5 CSR 20 100.250 | Division of Learning Services | | 45 MoReg 1406R | 46 MoReg 361R | |
| 5 CSR 20 100.275 | Division of Learning Services | | 46 MoReg 49 | | |
| 5 CSR 20 400.180 | Division of Learning Services | | 45 MoReg 1863 | | |
| 5 CSR 20 400.500 | Division of Learning Services | | 45 MoReg 1863 | | |
| 5 CSR 20 400.510 | Division of Learning Services | | 45 MoReg 1864 | | |
| 5 CSR 20 400.520 | Division of Learning Services | | 45 MoReg 1864 | | |
| 5 CSR 20 400.530 | Division of Learning Services | | 45 MoReg 1865 | | |
| 5 CSR 20 400.540 | Division of Learning Services | | 45 MoReg 1866 | | |
| 5 CSR 20 400.550 | Division of Learning Services | | 45 MoReg 1866 | | |
| 5 CSR 20 400.560 | Division of Learning Services | | 45 MoReg 1867 | | |
| 5 CSR 20 400.620 | Division of Learning Services | | 46 MoReg 316 | | |
| 5 CSR 20 400.630 | Division of Learning Services | | 46 MoReg 316 | | |
| 5 CSR 20 400.640 | Division of Learning Services | | 45 MoReg 1407 | 46 MoReg 361 | |
| 5 CSR 30 4.030 | Division of Financial and Administrative Services | | | | 46 MoReg 370 |
| 5 CSR 30 660.085 | Division of Financial and Administrative Services | | 46 MoReg 317R | | |
| 5 CSR 100 200.135 | Missouri Commission for the Deaf and Hard of Hearing | | 46 MoReg 50 | | |

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| 5 CSR 100 200.150 | Missouri Commission for the Deaf and Hard of Hearing | | 46 MoReg 437 | | |
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| 7 CSR 10 3.010 | Missouri Highways and Transportation Commission | | 45 MoReg 1596 | 46 MoReg 512 | |
| 7 CSR 10 3.020 | Missouri Highways and Transportation Commission | | 45 MoReg 1598 | 46 MoReg 512 | |
| 7 CSR 10 25.020 | Missouri Highways and Transportation Commission | | 45 MoReg 1779 | | |
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| 8 CSR 20 7.010 | Labor and Industrial Relations Commission | | This IssueR | | |
| 8 CSR 50 5.007 | Division of Workers' Compensation | 46 MoReg 305 | 46 MoReg 440 | | |
| 8 CSR 50 6.010 | Division of Workers' Compensation | | This IssueR | | |
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| 9 CSR 30 3.201 | Certification Standards | | 45 MoReg 1960 | | |
| 9 CSR 30 3.202 | Certification Standards | | 45 MoReg 1960 | | |
| 9 CSR 30 3.204 | Certification Standards | | 45 MoReg 1960 | | |
| 9 CSR 30 3.206 | Certification Standards | | 45 MoReg 1961 | | |
| 9 CSR 30 3.208 | Certification Standards | | 45 MoReg 1962 | | |
| 9 CSR 30 4.047 | Certification Standards | | 45 MoReg 1962 | | |
| 9 CSR 50 2.010 | Admission Criteria | | 46 MoReg 497 | | |
| 9 CSR 50 2.510 | Admission Criteria | | 46 MoReg 505 | | |
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| 10 CSR 10 6.110 | Air Conservation Commission | | 45 MoReg 1228 | 46 MoReg 265 | |
| 10 CSR 20 8.300 | Clean Water Commission | 46 MoReg 39 | 46 MoReg 318 | | |
| 10 CSR 60 16.010 | Safe Drinking Water Commission | | 45 MoReg 1237 | 46 MoReg 265 | |
| 10 CSR 60 16.020 | Safe Drinking Water Commission | | 45 MoReg 1242 | 46 MoReg 265 | |
| 10 CSR 60 16.030 | Safe Drinking Water Commission | | 45 MoReg 1244 | 46 MoReg 266 | |
| 10 CSR 60 16.040 | Safe Drinking Water Commission | | 45 MoReg 1246 | 46 MoReg 266 | |
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| 11 CSR 30 10.020 | Office of the Director | | 45 MoReg 1410 | 46 MoReg 266 | |
| 11 CSR 30 13.010 | Office of the Director <i>moved to 11 CSR 90 4.010</i> | | 45 MoReg 1598 | | |
| 11 CSR 30 13.020 | Office of the Director <i>moved to 11 CSR 90 4.020</i> | | 45 MoReg 1598 | | |
| 11 CSR 30 13.030 | Office of the Director <i>moved to 11 CSR 90 4.030</i> | | 45 MoReg 1599 | | |
| 11 CSR 30 13.040 | Office of the Director <i>moved to 11 CSR 90 4.040</i> | | 45 MoReg 1599 | | |
| 11 CSR 30 13.050 | Office of the Director <i>moved to 11 CSR 90 4.050</i> | | 45 MoReg 1600 | | |
| 11 CSR 30 13.060 | Office of the Director <i>moved to 11 CSR 90 4.060</i> | | 45 MoReg 1601 | | |
| 11 CSR 30 13.070 | Office of the Director <i>moved to 11 CSR 90 4.070</i> | | 45 MoReg 1601 | | |
| 11 CSR 30 13.080 | Office of the Director <i>moved to 11 CSR 90 4.080</i> | | 45 MoReg 1603 | | |
| 11 CSR 30 13.090 | Office of the Director <i>moved to 11 CSR 90 4.090</i> | | 45 MoReg 1603 | | |
| 11 CSR 30 13.100 | Office of the Director | | 45 MoReg 1604R | | |
| 11 CSR 30 13.110 | Office of the Director <i>moved to 11 CSR 90 4.100</i> | | 45 MoReg 1604 | | |
| 11 CSR 30 17.010 | Office of the Director | | 45 MoReg 1658 | This Issue | |
| 11 CSR 30 18.010 | Office of the Director | | This Issue | | |
| 11 CSR 30 18.020 | Office of the Director | | This Issue | | |
| 11 CSR 45 12.090 | Missouri Gaming Commission | | 46 MoReg 50 | | |
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| 11 CSR 50 2.030 | Missouri State Highway Patrol | | 45 MoReg 1869 | | |
| 11 CSR 50 2.080 | Missouri State Highway Patrol | | 45 MoReg 1869 | | |
| 11 CSR 50 2.090 | Missouri State Highway Patrol | | 45 MoReg 1869 | | |
| 11 CSR 50 2.160 | Missouri State Highway Patrol | | 45 MoReg 1870 | | |
| 11 CSR 50 2.200 | Missouri State Highway Patrol | | 45 MoReg 1870 | | |
| 11 CSR 50 2.270 | Missouri State Highway Patrol | | 45 MoReg 1878 | | |
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| 11 CSR 50 2.310 | Missouri State Highway Patrol | | 45 MoReg 1878 | | |
| 11 CSR 50 2.340 | Missouri State Highway Patrol | | 45 MoReg 1879R | | |
| 11 CSR 70 2.030 | Division of Alcohol and Tobacco Control | | 45 MoReg 1341 | 46 MoReg 361 | |
| 11 CSR 70 2.060 | Division of Alcohol and Tobacco Control | | 45 MoReg 1341 | 46 MoReg 362 | |
| 11 CSR 70 2.120 | Division of Alcohol and Tobacco Control | | 45 MoReg 1342 | 46 MoReg 362 | |
| 11 CSR 70 3.020 | Division of Alcohol and Tobacco Control | | 45 MoReg 1342 | 46 MoReg 363 | |
| 11 CSR 75 15.010 | Peace Officer Standards and Training Program | 45 MoReg 1831 | 45 MoReg 1791 | 46 MoReg 512 | |
| 11 CSR 75 15.020 | Peace Officer Standards and Training Program | 45 MoReg 1832 | 45 MoReg 1791 | 46 MoReg 512 | |
| 11 CSR 75 16.010 | Peace Officer Standards and Training Program | | 46 MoReg 321 | | |
| 11 CSR 85 1.050 | Veterans Affairs | | 45 MoReg 1791 | 46 MoReg 468 | |
| 11 CSR 90 4.010 | Missouri 911 Service Board <i>formally 11 CSR 30 13.010</i> | | 45 MoReg 1598 | | |
| 11 CSR 90 4.020 | Missouri 911 Service Board <i>formally 11 CSR 30 13.020</i> | | 45 MoReg 1598 | | |
| 11 CSR 90 4.030 | Missouri 911 Service Board <i>formally 11 CSR 30 13.030</i> | | 45 MoReg 1599 | | |
| 11 CSR 90 4.040 | Missouri 911 Service Board <i>formally 11 CSR 30 13.040</i> | | 45 MoReg 1599 | | |
| 11 CSR 90 4.050 | Missouri 911 Service Board <i>formally 11 CSR 30 13.050</i> | | 45 MoReg 1600 | | |
| 11 CSR 90 4.060 | Missouri 911 Service Board <i>formally 11 CSR 30 13.060</i> | | 45 MoReg 1601 | | |
| 11 CSR 90 4.070 | Missouri 911 Service Board <i>formally 11 CSR 30 13.070</i> | | 45 MoReg 1601 | | |
| 11 CSR 90 4.080 | Missouri 911 Service Board <i>formally 11 CSR 30 13.080</i> | | 45 MoReg 1603 | | |
| 11 CSR 90 4.090 | Missouri 911 Service Board <i>formally 11 CSR 30 13.090</i> | | 45 MoReg 1603 | | |

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| 11 CSR 90 4.100 | Missouri 911 Service Board <i>formally II CSR 30 13.110</i> | | 45 MoReg 1604 | | |
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| 12 CSR 10 2.019 | Director of Revenue | 46 MoReg 310 | 46 MoReg 321 | | |
| 12 CSR 10 2.076 | Director of Revenue | | 45 MoReg 1604 | 46 MoReg 266 | |
| 12 CSR 10 2.255 | Director of Revenue | | 45 MoReg 1608 | 46 MoReg 266 | |
| 12 CSR 10 2.260 | Director of Revenue | | 45 MoReg 1608 | 46 MoReg 267 | |
| 12 CSR 10 25.150 | Director of Revenue | | 45 MoReg 1879 | This Issue | |
| 12 CSR 10 41.010 | Director of Revenue | 45 MoReg 1832 | 45 MoReg 1880 | This Issue | |
| 12 CSR 10 102.016 | Director of Revenue | | 45 MoReg 1609 | 46 MoReg 267 | |
| 12 CSR 10 102.100 | Director of Revenue | | 45 MoReg 1883 | This Issue | |
| 12 CSR 10 104.050 | Director of Revenue | | 46 MoReg 260 | | |
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| 13 CSR 40 2.015 | Family Support Division | | 46 MoReg 325 | | |
| 13 CSR 40 7.010 | Family Support Division | | 46 MoReg 327 | | |
| 13 CSR 40 7.080 | Family Support Division | | 45 MoReg 1964 | | |
| 13 CSR 40 91.020 | Family Support Division | | 46 MoReg 445 | | |
| 13 CSR 70 3.230 | MO HealthNet Division | | 45 MoReg 1967 | | |
| 13 CSR 70 3.320 | MO HealthNet Division | | | | 46 MoReg 268 |
| 13 CSR 70 5.010 | MO HealthNet Division | | 45 MoReg 1411 | 46 MoReg 267 | |
| 13 CSR 70 10.015 | MO HealthNet Division | | This Issue | | |
| 13 CSR 70 20.045 | MO HealthNet Division | | 46 MoReg 329 | | |
| 13 CSR 70 20.047 | MO HealthNet Division | | 46 MoReg 329 | | |
| 13 CSR 70 20.060 | MO HealthNet Division | 46 MoReg 311 | 46 MoReg 332 | | |
| 13 CSR 70 20.200 | MO HealthNet Division | | 45 MoReg 1660 | 46 MoReg 363 | |
| 13 CSR 70 20.250 | MO HealthNet Division | | 46 MoReg 464 | | |
| 13 CSR 70 20.300 | MO HealthNet Division | | 45 MoReg 1663 | 46 MoReg 363 | |
| 13 CSR 70 25.110 | MO HealthNet Division | | This Issue | | |
| 13 CSR 70 25.140 | MO HealthNet Division | | 45 MoReg 1412 | 46 MoReg 363 | |
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| 13 CSR 70 99.010 | MO HealthNet Division | | 45 MoReg 1664 | 46 MoReg 366 | |
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| 15 CSR 30 1.010 | Secretary of State | | 45 MoReg 1792 | 46 MoReg 366 | |
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| 16 CSR 20 2.010 | Missouri Local Government Employees' Retirement System (LAGERS) | | 45 MoReg 1967 | This Issue | |
| 16 CSR 20 2.085 | Missouri Local Government Employees' Retirement System (LAGERS) | | 45 MoReg 1967 | This Issue | |
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| 17 CSR 10 2.010 | Kansas City Board of Police Commissioners | | This IssueR | | |
| 17 CSR 10 2.020 | Kansas City Board of Police Commissioners | | This IssueR | | |
| 17 CSR 10 2.030 | Kansas City Board of Police Commissioners | | This IssueR | | |
| 17 CSR 10 2.040 | Kansas City Board of Police Commissioners | | This IssueR | | |
| 17 CSR 10 2.050 | Kansas City Board of Police Commissioners | | This IssueR | | |
| 17 CSR 10 2.055 | Kansas City Board of Police Commissioners | | This IssueR | | |
| 17 CSR 10 2.060 | Kansas City Board of Police Commissioners | | This IssueR | | |
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| 18 CSR 10 1.010 | Office of State Public Defender | | | | 46 MoReg 17 |
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| 19 CSR 20 20.200 | Division of Community and Public Health | 46 MoReg 493 | | | |
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| 19 CSR 30 1.026 | Division of Regulation and Licensure | | 45 MoReg 1896 | 46 MoReg 513 | |
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| 19 CSR 30 1.074 | Division of Regulation and Licensure | 45 MoReg 1850 | 45 MoReg 1897 | 46 MoReg 513 | |
| 19 CSR 30 1.080 | Division of Regulation and Licensure | 46 MoReg 42 | 46 MoReg 51 | | |
| 19 CSR 30 81.030 | Division of Regulation and Licensure | | 46 MoReg 334 | | |
| 19 CSR 60 50 | Missouri Health Facilities Review Committee | | | | 46 MoReg 268 46 MoReg 515 This Issue |
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| 20 CSR | Construction Claims Binding Arbitration Cap | | | | 45 MoReg 1978 |
| 20 CSR | Sovereign Immunity Limits | | | | 45 MoReg 1978 |
| 20 CSR | State Legal Expense Fund Cap | | | | 45 MoReg 1978 |
| 20 CSR 200 22.010 | Insurance Solvency and Company Regulation | 45 MoReg 1337 | 45 MoReg 1345 | | |
| 20 CSR 500 6.100 | Property and Casualty | | 45 MoReg 376 | | |
| 20 CSR 500 7.020 | Property and Casualty | | 45 MoReg 376 | | |
| 20 CSR 500 7.030 | Property and Casualty | | 45 MoReg 377 | | |
| 20 CSR 500 7.050 | Property and Casualty | | 45 MoReg 377 | | |
| 20 CSR 500 7.060 | Property and Casualty | | 45 MoReg 379 | | |
| 20 CSR 500 7.070 | Property and Casualty | | 45 MoReg 379 | | |
| 20 CSR 500 7.090 | Property and Casualty | | 45 MoReg 380 | | |
| 20 CSR 500 7.200 | Property and Casualty | | 45 MoReg 381 | | |
| 20 CSR 700 8.005 | Insurance Licensing | | 45 MoReg 383 | | |
| 20 CSR 700 8.150 | Insurance Licensing | | 45 MoReg 383 | | |
| 20 CSR 2010 2.041 | Missouri State Board of Accountancy | | 45 MoReg 1897 | This Issue | |
| 20 CSR 2010 2.061 | Missouri State Board of Accountancy | | 45 MoReg 1899 | This Issue | |
| 20 CSR 2010 4.020 | Missouri State Board of Accountancy | | 45 MoReg 1901 | This Issue | |
| 20 CSR 2010 4.031 | Missouri State Board of Accountancy | | 45 MoReg 1901 | This Issue | |

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| 20 CSR 2030 4.055 | Missouri Board for Architects, Professional Engineers, Professional Land Surveyors, and Professional Landscape Architects | | 45 MoReg 1664R | 46 MoReg 367R | |
| 20 CSR 2030 4.060 | Missouri Board for Architects, Professional Engineers, Professional Land Surveyors, and Professional Landscape Architects | | 45 MoReg 1793 | 46 MoReg 468 | |
| 20 CSR 2030 4.070 | Missouri Board for Architects, Professional Engineers, Professional Land Surveyors, and Professional Landscape Architects | | 45 MoReg 1794 | 46 MoReg 468 | |
| 20 CSR 2030 4.080 | Missouri Board for Architects, Professional Engineers, Professional Land Surveyors, and Professional Landscape Architects | | 45 MoReg 1794 | 46 MoReg 468 | |
| 20 CSR 2030 4.090 | Missouri Board for Architects, Professional Engineers, Professional Land Surveyors, and Professional Landscape Architects | | 45 MoReg 1795 | 46 MoReg 468 | |
| 20 CSR 2030 5.030 | Missouri Board for Architects, Professional Engineers, Professional Land Surveyors, and Professional Landscape Architects | | 45 MoReg 1796 | 46 MoReg 469 | |
| 20 CSR 2030 5.080 | Missouri Board for Architects, Professional Engineers, Professional Land Surveyors, and Professional Landscape Architects | | 45 MoReg 1796 | 46 MoReg 469 | |
| 20 CSR 2030 5.110 | Missouri Board for Architects, Professional Engineers, Professional Land Surveyors, and Professional Landscape Architects | | 45 MoReg 1796 | 46 MoReg 469 | |
| 20 CSR 2030 5.120 | Missouri Board for Architects, Professional Engineers, Professional Land Surveyors, and Professional Landscape Architects | | 46 MoReg 54 | | |
| 20 CSR 2030 5.140 | Missouri Board for Architects, Professional Engineers, Professional Land Surveyors, and Professional Landscape Architects | | 45 MoReg 1797 | 46 MoReg 469 | |
| 20 CSR 2030 5.160 | Missouri Board for Architects, Professional Engineers, Professional Land Surveyors, and Professional Landscape Architects | | 46 MoReg 54 | | |
| 20 CSR 2030 8.020 | Missouri Board for Architects, Professional Engineers, Professional Land Surveyors, and Professional Landscape Architects | | 46 MoReg 358 | | |
| 20 CSR 2045 1.010 | Athlete Agents | | 46 MoReg 260 | | |
| 20 CSR 2063 1.015 | Behavior Analyst Advisory Board | | 45 MoReg 1665 | 46 MoReg 367 | |
| 20 CSR 2063 2.010 | Behavior Analyst Advisory Board | | 45 MoReg 1902 | 46 MoReg 513 | |
| 20 CSR 2150 5.025 | State Board of Registration for the Healing Arts | 46 MoReg 182 | 46 MoReg 262 | | |
| 20 CSR 2165 1.010 | Board of Examiners for Hearing Instrument Specialists | | 45 MoReg 1902 | 46 MoReg 514 | |
| 20 CSR 2200 4.010 | State Board of Nursing | | 45 MoReg 1667 | 46 MoReg 367 | |
| 20 CSR 2220 2.120 | State Board of Pharmacy | | 45 MoReg 1903 | This Issue | |
| 20 CSR 2220 2.425 | State Board of Pharmacy | | 46 MoReg 358 | | |
| 20 CSR 2220 2.680 | State Board of Pharmacy | 45 MoReg 1552 | 45 MoReg 1611 | 46 MoReg 367 | |
| 20 CSR 2220 2.685 | State Board of Pharmacy | | 46 MoReg 465 | | |
| 20 CSR 2220 5.020 | State Board of Pharmacy | 45 MoReg 1851 | 45 MoReg 1903 | 46 MoReg 514 | |
| 20 CSR 2220 6.040 | State Board of Pharmacy | 46 MoReg 5 | 46 MoReg 12 | | |
| 20 CSR 2220 6.050 | State Board of Pharmacy | 46 MoReg 183 | 46 MoReg 262 | | |
| 20 CSR 2220 7.025 | State Board of Pharmacy | | 46 MoReg 263 | | |
| 20 CSR 2232 2.010 | Missouri State Committee of Interpreters | | 45 MoReg 1669 | 46 MoReg 368 | |
| 20 CSR 2232 2.020 | Missouri State Committee of Interpreters | | 45 MoReg 1669 | 46 MoReg 368 | |
| 20 CSR 2232 2.030 | Missouri State Committee of Interpreters | | 45 MoReg 1669 | 46 MoReg 368 | |
| 20 CSR 2234 1.050 | Board of Private Investigator and Private Fire Investigator Examiners | | 45 MoReg 1670 | 46 MoReg 368 | |
| 20 CSR 2234 2.010 | Board of Private Investigator and Private Fire Investigator Examiners | | 45 MoReg 1672 | 46 MoReg 368 | |
| 20 CSR 2234 2.015 | Board of Private Investigator and Private Fire Investigator Examiners | | 45 MoReg 1672 | 46 MoReg 369 | |
| 20 CSR 2234 3.010 | Board of Private Investigator and Private Fire Investigator Examiners | | 45 MoReg 1673 | 46 MoReg 369 | |
| 20 CSR 2234 3.040 | Board of Private Investigator and Private Fire Investigator Examiners | | 45 MoReg 1673 | 46 MoReg 369 | |
| 20 CSR 2234 5.010 | Board of Private Investigator and Private Fire Investigator Examiners | | 45 MoReg 1797 | 46 MoReg 469 | |
| 20 CSR 2234 6.010 | Board of Private Investigator and Private Fire Investigator Examiners | | 46 MoReg 360 | | |
| 20 CSR 2235 1.020 | State Committee of Psychologists | | 45 MoReg 1968 | This Issue | |
| 20 CSR 2235 1.025 | State Committee of Psychologists | | 45 MoReg 1970 | This Issue | |
| 20 CSR 2235 1.026 | State Committee of Psychologists | | 45 MoReg 1970 | This Issue | |
| 20 CSR 2235 1.030 | State Committee of Psychologists | | 45 MoReg 1971 | This Issue | |
| 20 CSR 2235 1.031 | State Committee of Psychologists | | 45 MoReg 1971 | This Issue | |
| 20 CSR 2235 1.050 | State Committee of Psychologists | | 45 MoReg 1904 | 46 MoReg 514 | |
| 20 CSR 2235 2.001 | State Committee of Psychologists | | 46 MoReg 509 | | |
| 20 CSR 2235 2.005 | State Committee of Psychologists | | 46 MoReg 13 | | |
| 20 CSR 2235 2.070 | State Committee of Psychologists | | 46 MoReg 13 | | |
| 20 CSR 2255 1.030 | Missouri Board for Respiratory Care | | This Issue | | |
| 20 CSR 2263 1.035 | State Committee for Social Workers | | 45 MoReg 1905 | 46 MoReg 514 | |
| 20 CSR 2263 2.082 | State Committee for Social Workers | | 46 MoReg 466 | | |
| 20 CSR 4240 125.040 | Public Service Commission | 45 MoReg 1655 | 45 MoReg 1673 | 46 MoReg 369 | |
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| 22 CSR 10 2.046 | Health Care Plan | 45 MoReg 1852 | 45 MoReg 1907 | | |
| 22 CSR 10 2.047 | Health Care Plan | 45 MoReg 1853 | 45 MoReg 1907 | | |
| 22 CSR 10 2.053 | Health Care Plan | 45 MoReg 1853 | 45 MoReg 1907 | | |
| 22 CSR 10 2.089 | Health Care Plan | 45 MoReg 1855 | 45 MoReg 1909 | | |
| 22 CSR 10 3.030 | Health Care Plan | 45 MoReg 1856 | 45 MoReg 1909 | | |
| 22 CSR 10 3.055 | Health Care Plan | 45 MoReg 1857 | 45 MoReg 1910 | | |
| 22 CSR 10 3.058 | Health Care Plan | 45 MoReg 1858 | 45 MoReg 1911 | | |
| 22 CSR 10 3.059 | Health Care Plan | 45 MoReg 1858 | 45 MoReg 1911 | | |

Emergency Rule Table

| Agency | Publication | Effective | Expiration |
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| Commissioner of Administration | | | |
| 1 CSR 10-15.010 Cafeteria Plan | .46 MoReg 109 | Jan. 4, 2021 | July 2, 2021 |
| Department of Agriculture | | | |
| Animal Health | | | |
| 2 CSR 30-10.010 Inspection of Meat and Poultry | .46 MoReg 393 | Feb. 11, 2021 | Aug. 9, 2021 |
| Department of Labor and Industrial Relations | | | |
| Division of Workers' Compensation | | | |
| 8 CSR 50-5.007 Evidence of Occupational Disease Exposure for First Responders | .46 Mo Reg 305 | Feb. 1, 2021 | July 30, 2021 |
| Department of Natural Resources | | | |
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| 10 CSR 20-8.300 Design of Concentrated Animal Feeding Operations | .46 MoReg 39 | Dec. 22, 2020 | June 19, 2021 |
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| 11 CSR 75-15.010 Continuing Education Requirement | .45 MoReg 1831 | Jan. 1, 2021 | June 29, 2021 |
| 11 CSR 75-15.020 Minimum Standards for Continuing Education Training | .45 MoReg 1832 | Jan. 1, 2021 | June 29, 2021 |
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| 12 CSR 10-2.019 Determination of Withholding for Work Performed at Temporary Work Locations | .46 Mo Reg 310 | Jan. 21, 2021 | July 19, 2021 |
| 12 CSR 10-41.010 Annual Adjusted Rate of Interest | .45 MoReg 1832 | Jan. 1, 2021 | June 29, 2021 |
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| 13 CSR 70-20.060 Professional Dispensing Fee | .46 Mo Reg 311 | Feb. 1, 2021 | July 30, 2021 |
| 13 CSR 70-90.010 Home Health Care Services | This Issue | July 1, 2021 | Feb. 24, 2022 |
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| Division of Community and Public Health | | | |
| 19 CSR 20-20.200 COVID 19 Vaccine Priority Tier Evaluation Committee | .46 MoReg 493 | Feb. 25, 2021 | Aug. 23, 2021 |
| Division of Regulation and Licensure | | | |
| 19 CSR 30-1.002 Schedules of Controlled Substances | .45 MoReg 1837 | Nov. 16, 2020 | May 14, 2021 |
| 19 CSR 30-1.074 Dispensing Without a Prescription | .45 MoReg 1850 | Nov. 16, 2020 | May 14, 2021 |
| 19 CSR 30-1.080 Electronic Prescribing Waiver | .46 MoReg 42 | Dec. 31, 2020 | June 28, 2021 |
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| 20 CSR 2150-5.025 Administration of Vaccines Per Protocol | .46 MoReg 182 | Jan. 19, 2021 | July 17, 2021 |
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| 20 CSR 2220-5.020 Drug Distributor Licensing Requirements | .45 MoReg 1851 | Nov. 13, 2020 | May 11, 2021 |
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| 20 CSR 2220-6.050 Administration of Vaccines Per Protocol | .46 MoReg 183 | Jan. 19, 2021 | July 17, 2021 |
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| 22 CSR 10-2.046 PPO 750 Plan Benefit Provisions and Covered Charges | .45 MoReg 1852 | Jan. 1, 2021 | June 29, 2021 |
| 22 CSR 10-2.047 PPO 1250 Plan Benefit Provisions and Covered Charges | .45 MoReg 1853 | Jan. 1, 2021 | June 29, 2021 |
| 22 CSR 10-2.053 Health Savings Account Plan Benefit Provisions and Covered Charges | .45 MoReg 1853 | Jan. 1, 2021 | June 29, 2021 |
| 22 CSR 10-2.089 Pharmacy Employer Group Waiver Plan for Medicare Primary Members | .45 MoReg 1855 | Jan. 1, 2021 | June 29, 2021 |
| 22 CSR 10-3.030 Public Entity Membership Agreement and Participation Period | .45 MoReg 1856 | Jan. 1, 2021 | June 29, 2021 |
| 22 CSR 10-3.055 Health Savings Account Plan Benefit Provisions and Covered Charges | .45 MoReg 1857 | Jan. 1, 2021 | June 29, 2021 |
| 22 CSR 10-3.058 PPO 750 Plan Benefit Provisions and Covered Charges | .45 MoReg 1858 | Jan. 1, 2021 | June 29, 2021 |
| 22 CSR 10-3.059 PPO 1250 Plan Benefit Provisions and Covered Charges | .45 MoReg 1858 | Jan. 1, 2021 | June 29, 2021 |

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| <u>2021</u> | | | |
| 21-05 | Designates members of his staff to have supervisory authority over departments, divisions and agencies of state government | February 24, 2021 | This Issue |
| 21-04 | Extends Executive Order 21 03 until February 28, 2021 and terminates Executive Order 20 17. | February 19, 2021 | This Issue |
| 21-03 | Declares a State of Emergency and exempts hours of service requirements for vehicles transporting residential heating fuel until February 21, 2021 | February 11, 2021 | 46 MoReg 495 |
| 21-02 | Establishes the Office of Childhood within the Department of Elementary and Secondary Education | January 28, 2021 | 46 MoReg 394 |
| 21-01 | Terminates Executive Orders 03 11 and 02 05, and modifies provisions of Executive Order 05 06 | January 7, 2021 | 46 MoReg 314 |
| <u>2020</u> | | | |
| 20-21 | Modifies the provisions of the Missouri Justice Reinvestment Executive Oversight Council, as established in Executive Order 18 08 | December 30, 2020 | 46 MoReg 185 |
| 20-20 | Closes state offices December 24, 2020 | December 7, 2020 | 46 MoReg 46 |
| 20-19 | Extends the State of Emergency, activation of the State Emergency Operations Plan and activation of the state militia until March 31, 2021. Gov. Michael Parson also extends, in part, the provisions of Executive Order 20 04. Gov. Parson also extends, in whole, Executive Orders 20 05, 20 06, and 20 08 | November 19, 2020 | 46 MoReg 7 |
| Proclamation | Adds additional measures for consideration during the Second Extra Session of the Second Regular Session of the One Hundredth General Assembly regarding supplemental appropriations to respond to COVID 19 | November 12, 2020 | 45 MoReg 1953 |
| 20-18 | Closes state offices November 27, 2020 | October 30, 2020 | 45 MoReg 1862 |
| Proclamation | Convenes the Second Extra Session of the Second Regular Session of the One Hundredth General Assembly regarding supplemental appropriations to respond to COVID 19 | October 21, 2020 | 45 MoReg 1860 |
| 20-17 | Declares a State of Emergency and activates the state militia due to civil unrest in Missouri | September 24, 2020 | 45 MoReg 1656 |
| 20-16 | Extends Executive Order 20 12 regarding the activation of the state militia until December 30, 2020 | September 15, 2020 | 45 MoReg 1562 |
| 20-15 | Establishes the Interagency Task Force on Worker Classification | September 11, 2020 | 45 MoReg 1559 |
| 20-14 | Suspends the requirement of physical appearance as stated in Chapter 474 by authorizing the use of audio visual technology | September 3, 2020 | 45 MoReg 1557 |
| Proclamation | Amends the matters specifically designated and limited for consideration by the General Assembly in the July 15, 2020 Proclamation | August 10, 2020 | 45 MoReg 1338 |
| 20-13 | Extends Executive Order 18 12 regarding the 2020 Census until November 30, 2020 | July 31, 2020 | 45 MoReg 1303 |
| Proclamation | Convenes the one hundredth general assembly of the State of Missouri in the First Extra Session of the Second Regular Session | July 15, 2020 | 45 MoReg 1220 |
| 20-12 | Extends the State of Emergency, activation of the State Emergency Operations Plan and activation of the state militia. Gov. Michael Parson also extends, in part, the provisions of Executive Order 20 04. Gov. Parson also extends, in whole, Executive Orders 20 05, 20 06, and 20 08 | June 11, 2020 | 45 MoReg 1064 |
| 20-11 | Declares a State of Emergency and activates the state militia due to civil unrest in Missouri | May 30, 2020 | 45 MoReg 990 |
| Proclamation | Calls for a special election on August 4th of 2020 | May 26, 2020 | 45 MoReg 988 |
| 20-10 | Extends Executive Orders 20 04, 20 05, 20 06, and 20 08 until June 15, 2020 | May 4, 2020 | 45 MoReg 895 |
| 20-09 | Extends the State of Emergency declared in Executive Order 20 02 until June 15, 2020 and directs the Missouri State Emergency Operations Plan to remain activated | April 24, 2020 | 45 MoReg 789 |
| 20-08 | Suspends the requirement of personal appearance before a notary public by authorizing the use of audio video technology | April 6, 2020 | 45 MoReg 718 |
| 20-07 | Waives late penalties for concealed carry permits for 60 days | April 2, 2020 | 45 MoReg 716 |
| 20-06 | Activates the state militia in response to the COVID 19 pandemic | March 27, 2020 | 45 MoReg 587 |
| 20-05 | Suspends the prohibition of the sale of unprepared food by restaurants to the public during the current state of emergency | March 23, 2020 | 45 MoReg 585 |
| 20-04 | Suspends certain agency regulations to allow them to address the current state of emergency | March 18, 2020 | 45 MoReg 583 |

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| 20-03 | Postpones the General Municipal Election scheduled for April 7, 2020 until June 2, 2020 | March 18, 2020 | 45 MoReg 580 |
| 20-02 | Declares a State of Emergency and directs the Missouri State Emergency Operations Plan be activated | March 13, 2020 | 45 MoReg 529 |
| 20-01 | Designates supervisory authority over select departments, divisions, or agencies of government | Feb. 03, 2020 | 45 MoReg 352 |

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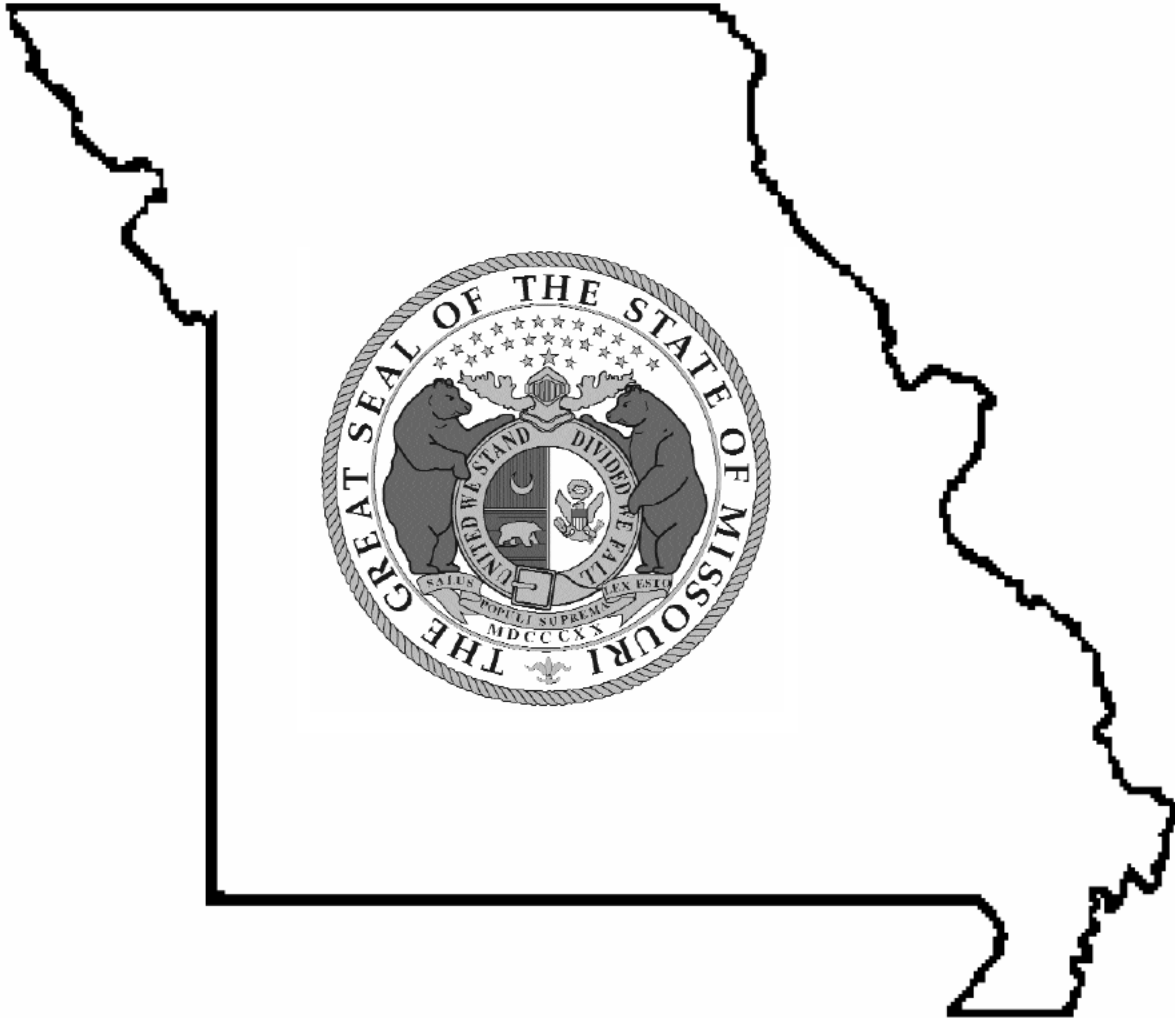
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MISSOURI STATE RULEMAKING MANUAL



JOHN R. ASHCROFT
SECRETARY OF STATE

The *Missouri State Rulemaking Manual* is available exclusively online at sos.mo.gov/adrules/manual/manual for state agencies to assist in preparing all types of rulemakings.

For information about rule drafting classes call (573) 751-4015.

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